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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases and Other Operations

PART 672—WOOL

SUBPART—1952 WOOL PRICE SUPPORT PROGRAM (SHORN WOOL)

This bulletin states the requirements with respect to the 1952 Wool Price Support Program for shorn wool formulated by Commodity Credit Corporation (hereinafter referred to as "CCC") and the Production and Marketing Administration (hereinafter referred to as "PMA").

PROGRAM OPERATION

Sec.
672.301 Administration.

ELIGIBILITY

672.302 Eligible persons.
672.303 Eligible wool.

INELIGIBLE WOOL

672.304 Liability.

ADVANCE LOANS BY CCC

672.305 Advance loans.

APPRAISALS

672.306 Determination of appraisal value.
672.307 Reappraisals.
672.308 New appraisals.

NONRECOURSE LOANS BY CCC

672.309 Nonrecourse loans.
672.310 Loan value.
672.311 Determination of weights.
672.312 Distribution of proceeds of nonrecourse loan.
672.313 Account of Loan Settlement.
672.314 Charges by handler.
672.315 Limitation on charges by handler.
672.316 Repayment of nonrecourse loans.

GROWER POOLS

672.317 Wool received by handler from pools.

LIQUIDATION OF LOANS NOT REPAID BY MATURITY DATE

672.318 Liquidation of unpaid loans.

APPRAISAL CHARGES ON WOOL APPRAISED BUT ON WHICH LOAN IS NOT MADE BY CCC

672.319 Appraisal and reappraisal charges.

INSURANCE AND RISK OF LOSS

Sec.
672.320 Insurance and risk of loss.

GENERAL

672.321 Transfer in interest under loan.
672.322 Contractual rights.

AUTHORITY: §§ 672.301 to 672.322 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1446, 1421.

PROGRAM OPERATION

§ 672.301 *Administration.* The program will be carried out by PMA under the general supervision and direction of the President of CCC and in accordance with the bylaws of CCC. Prices of shorn wool will be supported by means of loans made through wool dealers and cooperative associations (such wool dealers and cooperative associations are hereinafter referred to as "handlers") who enter into agreements with CCC to obtain loans on, handle, and store wool while it is pledged to CCC as security for a loan. In the field, the program will be administered through PMA Commodity Offices. Names of approved handlers may be obtained from County PMA Committees and PMA Commodity Offices. PMA Commodity Offices and State and County PMA Committees do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements thereto.

ELIGIBILITY

§ 672.302 *Eligible persons.* Loans will be made by CCC to approved handlers for the benefit of growers who have title and beneficial interest in the wool.

§ 672.303 *Eligible wool.* Eligible wool shall be wool which meets the following requirements:

(a) The wool must be shorn in the continental United States or Territories from sheep or lambs.

(b) The wool must be received by the handler from the original grower thereof or from a pool of such original growers and, in either event, the original grower must at all times have had title and beneficial interest in the wool.

(c) The wool must be covered by the following applicable documents:

(Continued on p. 7263)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

(1) Producer's Designation of Handler, in form prescribed or approved by CCC and signed by the grower, to act as the grower's representative in commingling the grower's wool with wool delivered by other growers, in pledging such wool to CCC as security for loans, in redemption of such wool from loans, and in receiving and distributing proceeds. Such document shall include a statement by the grower that he owned the sheep or lambs from which the wool covered thereby was shorn and that the title and beneficial interest in such wool is and has always been in him since the wool was shorn, and that such wool is free and clear of liens and encumbrances except those in favor of lienholders listed in the document and who have signed a lienholder's waiver in form prescribed or approved by CCC. The handler shall obtain such a document from each grower delivering wool (other than that covered by the pool documents described in subparagraphs (2) and (3) of this paragraph) to the handler, which may be pledged to CCC as security for an advance or nonrecourse loan.

(2) Producer's Designation of Pool Manager, in a form prescribed or approved by CCC and signed by the grower, to act as the grower's representative in a wool pool by delivering his and other growers' wool in the pool to the handler, by authorizing the handler to commingle and pledge such wool to CCC as security for loans and to exercise the power of redemption, and by receiving proceeds from the handler and distributing them to the grower members of the pool. This document shall include the same statements by the grower with respect to production of the wool, title and beneficial interests therein, and liens and encumbrances as is required in subparagraph (1) of this paragraph. The handler shall obtain from the pool manager a separate designation from each grower who contributed wool to the accumulation delivered by the pool manager, which may be pledged to CCC as security for an advance or nonrecourse loan.

(3) Pool Manager's Designation of Handler, in a form prescribed or approved by CCC and signed by the pool manager, to act as representative of grower members of the pool in commingling wool received from such pool together with wool owned by other growers, in pledging such commingled wool to CCC as security for loans, in redemption of such wool from loans, and in receiving proceeds and distributing them to the pool manager. The handler shall obtain a separate designation from the pool manager for each accumulation of wool delivered by him which may be pledged to CCC as security for an advance or nonrecourse loan.

(d) The wool must be free and clear of all liens and encumbrances.

(e) The wool must be stored in a warehouse approved by CCC.

(f) The wool must be handled in such manner that growers will receive loan proceeds based on the grade, quantity and quality of wool delivered unless the grower authorizes settlement on the basis of weight alone without regard to grade and quality.

(g) If wool is received from a pool of growers, the identity of each grower's lot must be maintained when the wool is delivered to the handler unless the growers have authorized settlement solely on the basis of the weight of wool delivered without regard to grade and quality.

(h) If wool is to be pledged as security for a nonrecourse loan, an appraisal or new appraisal, if applicable, of such wool must be requested not later than November 30, 1952.

(i) If wool is to be pledged as security for a nonrecourse loan, it must be packed in bags or bales.

(j) If California processing type wool (i. e., tags, defective fall and 8-months wool, and defective lamb's wool, produced in California) are to be pledged as security for a nonrecourse loan, they must be scoured or carbonized.

(k) If wool is to be pledged as security for a nonrecourse loan, the application for loan must be made not later than December 31, 1952.

INELIGIBLE WOOL

§ 672.304 *Liability.* If CCC, either before or after maturity of the note and sale of the collateral, determines that the handler pledged to it as security for a nonrecourse loan any wool which is ineligible under the program, that portion of the note or notes equal to the amount loaned by CCC on the ineligible wool pledged, according to its grade and quality, plus charges and accrued interest on such amount, shall become fully recourse. If CCC determines that it is impracticable to determine the grade and quality of, and amount loaned, with respect to the ineligible wool, the grade and quality of the ineligible wool so pledged shall be deemed to be equal to the average grade and quality of the lot or lots into which such ineligible wool was graded as determined by CCC. If CCC further determines that the handler fraudulently pledged such ineligible wool, the entire amount of the note or notes, plus charges and accrued interest, covering the lot or lots of wool into

which the ineligible wool was graded as determined by CCC, shall become fully recourse. Notwithstanding the fact that CCC may have purchased the collateral at a price equal to the amount of the loan (including charges and accrued interest) for the purpose of facilitating liquidation of the nonrecourse loan, the amount of the deficiency with respect to any nonrecourse loan, or portion thereof, which becomes fully recourse as a result of the pledging of ineligible wool, shall be the amount, if any, by which the amount of the loan (including charges and accrued interest), or such portion thereof, exceeds the market value of the collateral on the date of the liquidation sale, as determined by CCC. The handler shall not be held personally liable for the pledging of ineligibe wool as a result of fraudulent representations made by a producer or pool manager of which the handler had no knowledge when such ineligible wool was pledged to CCC as security for a loan. Nothing in this section shall be in derogation of any further rights of CCC or the United States against the handler, or any grower, pool manager, or other person, under any applicable federal statute or otherwise.

ADVANCE LOANS BY CCC

§ 672.305 *Advance loans*—(a) *Amount and maturity date.* The handler may obtain advance loans (i. e., recourse loans which CCC will make, under the terms and conditions set forth herein on wool prior to the time the wool is put in a merchantable condition for appraisal) from CCC in an amount not in excess of seventy (70) percent of the estimated appraisal value of the wool, as determined by the handler and accepted by CCC, pledged as security for the advance loan. The note covering any advance loan made under the program shall be payable on or before 5 months from the date of such note or December 15, 1952, whichever is earlier, and shall bear interest at the rate of 3½ percent per annum.

(b) *Application.* After wool is placed in a warehouse approved by CCC, the handler may apply for an advance loan from CCC on any quantity of wool, which requires further processing or preparation in order for a nonrecourse loan to be made thereon, by executing and delivering to the PMA Commodity Office in the area in which the wool is stored a note in form prescribed by CCC accompanied by warehouse receipts representing the wool pledged to CCC, and such other documents as CCC may specify.

(c) *Disbursement by CCC.* Upon receipt of the documents specified herein, in proper form and properly executed by the handler, the PMA Commodity Office shall promptly pay to the handler the amount of the loan.

(d) *Distribution of proceeds.* The handler shall within 20 days after receipt of the advance loan proceeds, distribute to the respective growers, or pool managers representing growers' pools, the full proceeds of the advance loan made on wool owned by such growers or the growers in such pools, less the amounts of any advances previously made to such growers or pool managers by the handler. In the event the amount due is not distributed within 20 days after the handler receives the advance loan proceeds, in addition to any rights which may accrue to CCC as a result of the handler's failure to distribute proceeds of the advance loan promptly, the handler shall include in the payment due each such grower or pool manager a payment for interest at the rate of 6 percent per annum on the amount due such grower or pool from the date on which the handler received the advance loan proceeds until the date when payment is made.

(e) *Repayment.* At any time on or before the maturity date of the note covering an advance loan, the handler may make application, in accordance with paragraph (a) of § 672.309, for a nonrecourse loan or loans on the wool pledged as security for the advance loan, showing in each such application the amount of advance loan or loans received by the handler on such wool and the date of disbursement of the proceeds of the note covering such advance loan or loans. If the nonrecourse loan is approved by CCC, CCC shall deduct from the gross proceeds of the nonrecourse loan or loans the respective amounts of the advance loan or loans received by the handler in connection with such wool and record payments of those respective amounts on the applicable note covering the advance loan or loans. Interest shall be computed on that part of the note covering the nonrecourse loan which represents repayment of an advance loan or loans, in whole or in part, from the date of disbursement of the proceeds of the note covering such advance loan or loans. The handler shall repay to CCC, at the time the nonrecourse loan is applied for, any amount by which the loan received by the handler with respect to such wool exceeds the gross loan proceeds due the handler under the nonrecourse loan, together with interest. If the note covering the advance loan is not repaid in its entirety as described in this paragraph before its maturity date, the handler shall pay to the PMA Commodity Office, not later than the maturity date of such note, the unpaid balance of such note plus interest at the rate of 3½ percent per annum.

APPRAISALS

§ 672.306 *Determination of appraisal value.* Wool must be in a warehouse approved by CCC and in merchantable condition before an appraisal is requested and the handler must make a written request, in form approved by CCC, for appraisal of wool not later than November 30, 1952. The Appraiser shall not be required to appraise wool unless the handler has accumulated an aggregate of at least 24,000 pounds of graded wool or 50 bags of original bag wool. Appraisals will be made only of lots consisting of at least 250 pounds of graded wool or 10 bags of original bag wool of uniform grade. Growers who have smaller quantities of wool may have such wool appraised by delivering it to a handler with authorization to grade or group it with similar wool received from other growers, to form a lot of the required size. The appraisal value of wool for the purpose of obtaining a nonrecourse loan from CCC under the program shall be based on:

(a) The grade, length, type, and classification of the wool as determined by one or more appraisers employed by the United States Department of Agriculture;

(b) The shrinkage as determined by the core-test method under the supervision of the United States Department of Agriculture unless CCC authorizes the shrinkage to be determined on the basis of an inspection by the Appraiser; and

(c) The value thereof as shown in the Schedule of Loan Values for Domestic Shorn Wool appearing in § 672.227 (17 F. R. 3262). If CCC determines that any wool offered for appraisal should be graded, scoured or carbonized, it may require the wool to be graded, scoured or carbonized before the appraisal is made. All California processing type wools shall be scoured or carbonized before appraisal.

§ 672.307 *Reappraisals.* The determination of appraisal value shall be subject to the right of a reappraisal upon written request by the handler to CCC not later than 15 days after the date of the Appraisal Certificate if such wool is available for reappraisal in the same warehouse and in the same quantity and state (i. e., grease, scoured or carbonized) as at the time of the original appraisal. Any such reappraisal shall be final.

§ 672.308 *New appraisals.* If, at the time the handler makes application for a nonrecourse loan, the wool is in the same warehouse in which it was stored at the time of appraisal and is in the same condition, the loan value shall be based on the value determined by the appraisal or reappraisal, whichever is applicable. If any part of the wool is removed from the warehouse (except with the specific written authorization of CCC), becomes damaged or the appraisal value thereof is otherwise altered, a new appraisal shall be required on any part of such wool which is still eligible for a nonrecourse loan. This provision, however, shall not be construed to require a new appraisal of the remaining part of such wool in cases where bags or bales of wool are sold from the lot, provided the handler maintains an accurate record of such withdrawals. Any request for a new appraisal must be made by the handler not later than November 30, 1952, and the wool will be subject to an appraisal charge as in the case of an original appraisal.

NONRECOURSE LOANS BY CCC

§ 672.309 *Nonrecourse loans*—(a) *Application.* At any time after wool has been appraised, but not later than December 31, 1952, and after such wool has been packed in bags or bales, the handler may make application for a nonrecourse loan (i. e., a nonrecourse loan with a maturity date of January 31, 1953, which CCC will make, under the terms and conditions set forth in this subpart, on wool that has been appraised) on such wool by executing and delivering to the PMA Commodity Office a note, in form

prescribed by CCC, accompanied by warehouse receipts representing the wool, Appraisal Certificates, and such other documents as CCC may specify.

(b) *Delivery of note.* In the case of a note received by mail, the time of the postmark recorded by the Post Office Department on the envelope shall be deemed to be the time of delivery to CCC. In all cases where the note is not mailed or if mailed and the postmark is not recorded by the Post Office Department, the time when the note is received by the PMA Commodity Office shall be deemed to be the time of delivery.

(c) *Disbursement by CCC and maturity date.* Upon receipt of the documents specified in this subpart, in proper form and properly executed by the handler, the PMA Commodity Office shall promptly pay to the handler the gross loan proceeds computed in accordance with paragraph (b) of § 672.310, less any amount previously paid to the handler in accordance with § 672.305 as an advance loan with respect to such wool. The note covering any nonrecourse loan made under the program will be payable on or before January 31, 1953, together with interest at the rate of 3½ percent per annum.

§ 672.310 *Loan value*—(a) *Face value of note.* The face value of the note covering any nonrecourse loan made by CCC shall be the appraisal value of the wool pledged as security therefor, grease, scoured or carbonized basis, as the case may be (depending upon the state of the wool when appraised), less the deduction for freight, if applicable, specified in paragraph (b) (1) of this section. In the case of wool on which transit privileges or concentration privileges are protected at the point of storage, the note shall also include the amount due the handler under his agreement with CCC as reimbursement for inbound freight charges in connection with such wool.

(b) *Gross loan proceeds.* The amount to be disbursed to the handler as gross loan proceeds shall be the appraisal value of the wool pledged as security for the nonrecourse loan, grease, scoured, or carbonized basis, as the case may be (depending upon the state of the wool when appraised), less the following applicable charges:

(1) *Charge for freight.* On wool stored, at the time the nonrecourse loan is applied for in a warehouse located outside the Boston, Massachusetts, storage area (i. e., the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut), there shall be a charge for freight, based on gross shipping weight, as follows:

(i) The minimum carload rail freight rate or rail and water freight rate, whichever is the lower, from the point where the wool is stored to Boston, except in cases where transit privileges or concentration privileges are protected by the handler.

(ii) In cases where transit privileges or concentration privileges are protected by the handler and such privileges will be available to CCC, the minimum through carload rail freight rate or rail and water freight rate, whichever is the lower, from the grower's original shipping point to Boston plus the cost of applicable transit or concentration privileges and pick-up and delivery service.

(iii) In cases where water rates are used in computing the freight charge, there shall also be a charge to cover wharfage, and complete marine and war risk insurance.

(iv) Applicable federal transportation taxes shall be included in the freight charge.

(2) *Appraisal and reappraisal charge.* The grower or pool owning wool on which a nonrecourse loan is made by CCC shall be required to pay an appraisal charge of $\frac{1}{10}$ cent per pound in the case of grease wool or $\frac{3}{10}$ cent per pound in the case of scoured or carbonized wool and a reappraisal charge of the same amount in any case where the reappraisal confirms the results of the original appraisal.

§ 672.311 *Determination of weights.* All weights shall be taken by a responsible weighmaster, and the weight sheets shall be signed by the weighmaster and show the number and weight of each bag or bale of wool in the lot and the date on which the weights were taken. The weights prescribed in this section shall be reduced as a result of the withdrawal of bags or bales of wool from the lot after such weights are taken, and the weight sheets shall clearly show all such adjustments including the dates and quantities of withdrawals.

(a) *Grease wool.* The loan value of grease wool will be determined on the basis of weights taken not earlier than 5 days before the handler's request for appraisal of such wool. In the event a reappraisal is made in accordance with § 672.308, CCC will have the right to require that the weight of such wool be taken on or after the date on which core samples are drawn for the reappraisal and that the loan value be determined on the basis of such weight. Wool received in a wet or damp condition shall not be commingled with other wool until it is properly dried and the commingling is authorized by the Appraiser.

(b) *Scoured or carbonized wool.* The loan value of scoured or carbonized wool will be determined on the basis of the weights of the bags or bales taken by the scouring mill promptly upon completion of the processing. (These are the weights customarily taken by the scouring mill for preparing the scouring or carbonizing report.)

§ 672.312 *Distribution of proceeds of nonrecourse loan.* The handler shall, within 20 days after receipt of any nonrecourse loan proceeds from CCC, pay to each grower or pool manager the net nonrecourse loan value of the wool received from him after deducting the charges set forth in § 672.314. In cases where wool is commingled and the grower has given specific written authorization for the distribution of loan proceeds to him on the basis of weight without regard to the grade or quality of wool delivered by such grower, the handler or pool manager, as the case may be, may make payment of the net loan value on that basis. In all other cases where more than one grower or pool has contributed to a line of wool that is scoured or carbonized, the amount to be paid them shall be prorated among them on the basis of the quantity of wool each has in the line and on the basis of the length, quality (grade), shrinkage, and extent of the defect in each individual lot of wool as determined by the handler before scouring or carbonizing. In the event the amount due is not distributed to growers within 20 days after the handler receives loan funds, in addition to any rights which may accrue to CCC as a result of the handler's failure to distribute proceeds of the loan to growers promptly, the handler shall include in the payment due each grower or pool manager a payment for interest at the rate of 6 percent per annum on the amount due such producer or pool manager from the date on which the handler received the gross loan proceeds until the date payment is made.

§ 672.313 *Account of Loan Settlement.* When the handler makes payment of the net proceeds of nonrecourse loans on wool as set forth in § 672.312, he shall transmit to the person entitled thereto an Account of Loan Settlement in form approved by CCC. In cases where wool received from a single grower or pool is appraised separately, such Account of Loan Settlement shall be accompanied by a copy of the Appraisal Certificate. The handler shall show on the Account of Loan Settlement the grade, shinkage, weight, and appraisal value of each grade of such wool as shown by the Appraisal Certificate in the case of wool that has been grouped into lines. The handler shall identify such certificates by serial numbers.

§ 672.314 *Charges by handler.* The following are charges which, where applicable, may be deducted by the handler from the gross nonrecourse loan proceeds received by the handler in order to determine the net nonrecourse loan proceeds to be distributed to the growers or pool managers entitled thereto:

(a) *Charge for handling.* A charge for handling at not to exceed the following rates:

(1) Two cents per pound of grease wool, or 4 cents per pound of scoured or carbonized wool, in quantities of 5,000 pounds or more.

(2) Four and three-fourths cents per pound of grease wool, or 9½ cents per pound of scoured or carbonized wool, in quantities of less than 5,000 pounds: *Provided*, That in no instance shall the charge for a lot of less than 5,000 pounds exceed the maximum charge for a lot of 5,000 pounds as specified in subparagraph (1) of this paragraph. The aggregate quantity of wool received from each grower or each member of a pool and pledged to CCC as security for a loan shall be used for determining the applicable handling rate. Handling shall include weighing wool out of the warehouse, damage to bags and bale covers in core testing, the use of bags or bale covers utilized in the proper handling of wool that is pledged to or owned by CCC and remains in the custody of the handler, and all other services which the handler or pool manager renders or provides with respect to wool pledged to CCC

as security for a loan or wool to which CCC acquires title. Where the wool is received from a pool manager, the division of the handling charges as between the handler and the pool manager shall be as agreed upon by them.

(b) *Charge for grading.* Any wool for which the handler has provided grading shall be subject to a grading charge at a rate not in excess of 1¼ cents per pound of grease wool, in quantities of more than 1,000 pounds, or 2 cents per pound of grease wool, in quantities of 1,000 pounds or less, provided that in no instance shall the charge for a lot of 1,000 pounds or less exceed $12.50. The aggregate quantity of wool received from a single grower or pool manager and covered by a single Account of Loan Settlement shall be used for determining the applicable grading charge.

(c) *Charge for scouring and carbonizing.* Any wool scoured or carbonized shall be subject to a charge in an amount not to exceed the actual scouring or carbonizing costs paid or payable by the handler, including the cost of sorting the wool and transporting it from the warehouse to the scouring mill and, if necessary, from the scouring mill to the place of storage.

(d) *Charge for storage.* A storage charge from the date from which the handler provided storage through January 31, 1953: *Provided*, That, if the nonrecourse loan is repaid before the maturity date, the handler shall refund to each grower or pool manager any storage charges deducted for the period from the date of repayment of the loan through January 31, 1953. The storage charge shall be computed at rates not in excess of the following rates per month or fraction thereof: *Provided*, That in no event shall the rates on which the charge is based exceed the maximum rates determined under regulations of the Office of Price Stabilization for the warehouse in which such wool was stored:

[Rate in cents per hundredweight]

Type of wool	In compressed bales	Not in compressed bales
(1) For wool stored in Texas and New Mexico:		
Grease wool	5	7
Scoured or carbonized wool	7½	12½
(2) For wool stored elsewhere:		
Grease wool appraised under a territory or Texas classification	7	9
Grease wool appraised under a fleece wool classification	7	12
Scoured or carbonized wool	13	24

(e) *Warehouse in-charge.* A charge for receiving wool in the warehouse at not to exceed the lowest of the following rates for such services:

(1) Rate established in the storage tariff of the warehouse at which the wool is received;

(2) Twenty-five cents per bag of wool or 35 cents per bale of wool;

(3) Maximum rate determined under regulations of the Office of Price Stabilization for the warehouse in which the wool is received.

(f) *Advance.* Any amount previously advanced by the handler to the grower or pool manager.

§ 672.315 *Limitation on charges by handler.* The handler shall make no charges on wool on which CCC makes a nonrecourse loan which are not authorized by this subpart without the written approval of CCC unless the charge is authorized in writing by the grower entitled to the loan proceeds. In determining the amount due the grower, any charges in addition to those specified in §§ 672.310 and 672.314 shall be clearly itemized on the Account of Loan Settlement and shall be identified as charges specifically authorized by the grower.

§ 672.316 *Repayment of nonrecourse loans.* If the handler desires to repay all or part of a nonrecourse loan and to obtain the release of wool securing the amount repaid, he shall execute and file with the PMA Commodity Office a Redemption Request, in form approved by CCC, accompanied by payment of the amount repaid plus interest at the rate of 3½ percent per annum. The repayment and redemption of wool by the handler shall be based on the net weight of such wool used in determining the amount of the nonrecourse loan made thereon. Upon receipt of payment and the Redemption Request properly executed, CCC shall, in the case of full payment, release the note and applicable warehouse receipt to the handler, or, in the case of partial payment, apply the payment to the note and release the wool securing such note to the extent of the partial payment. In the event the note is paid in whole or in part before January 31, 1953, the handler shall immediately refund to the growers entitled thereto with respect to the wool that is redeemed any storage charges withheld from the grower's loan proceeds for the period from the date of repayment through January 31, 1953.

GROWER POOLS

§ 672.317 *Wool received by handler from pools.* With respect to all wool received by the handler from any grower pool, the identity of the wool contributed to the pool by each grower-member shall be maintained until such wool is received by the handler, who shall handle the wool owned by each grower-member in the same manner as is required by this bulletin with respect to growers who are not members of pools, except that, if any grower-member of the pool has given specific written authorization for the distribution of loan proceeds to him on the basis of weight without regard to the grade or quality of wool delivered by such grower, the pool manager may commingle the wool before delivering it to the handler. The handler shall distribute to the pool manager on behalf of the grower-members of the pool, in accordance with paragraph (d) of § 672.305 or § 672.312, as the case may be, the proceeds of any loan made by CCC and, in accordance with paragraph (d) of § 672.318, the amount of any overplus received from CCC. The pool manager shall distribute to grower-members of the pool any loan proceeds received from the handler within 20 days after such receipt and any overplus payment within 90 days after such payment is received from the handler. If such distribution is not made within such respective periods, the pool manager shall include in the payment due each grower-member interest at the rate of 6 percent per annum on the amount due such grower from the date on which the pool manager received the loan proceeds or other payment, as the case may be, until the date when payment to the grower-member is made.

LIQUIDATION OF LOANS NOT REPAID BY MATURITY DATE

§ 672.318 *Liquidation of unpaid loans*—(a) *General.* In the event the handler does not, on or before maturity, repay the full amount, including accrued interest, of any advance or nonrecourse loan, CCC shall have the right to sell the pledged collateral in accordance with the provisions of the applicable note, and CCC may become the purchaser at such sale.

(b) *Advance loans.* If CCC purchases the collateral securing an advance loan, CCC shall pay the market value of the collateral on the date of sale, as determined by it. The handler shall be liable to CCC for any deficiency resulting from the unpaid amount of the loan, including charges and accrued interest, being in excess of the net proceeds of the sale. Any overplus resulting from the net proceeds of the sale exceeding the unpaid amount of the loan, including charges and accrued interest, shall be paid to the handler for distribution to growers.

(c) *Nonrecourse loans.* The handler shall not be liable for any deficiency resulting from the unpaid amount of any nonrecourse loan, including charges and accrued interest, being in excess of the net proceeds of the sale of the collateral except in accordance with § 672.304. Any overplus resulting from the net proceeds of the sale exceeding the unpaid amount of the loan, including charges and accrued interest, shall be paid to the handler for distribution to growers.

(d) *Distribution of overplus to growers.* The handler shall pay the full amount of any overplus received from CCC to the respective growers or pool managers according to the respective interests of the growers, including pool members, in the wool with respect to which the overplus was paid by CCC. The method of determining the share of each grower shall be the same as that used in accordance with this subpart, in distributing to growers, including pool members, the proceeds of the loan with respect to which such overplus was paid by CCC. If payment of the overplus to such growers or pool managers is not completed within 90 days after such overplus is received by the handler, in addition to any rights which may accrue to CCC as a result of the handler's failure to make proper payments, the handler shall include in the payment to each grower or pool manager interest at the rate of 6 percent per annum on the amount due such grower or pool manager from the date on which the handler received the amount of the overplus until the date payment is made.

APPRAISAL CHARGES ON WOOL APPRAISED BUT ON WHICH LOAN IS NOT MADE BY CCC

§ 672.319 *Appraisal and reappraisal charges*—(a) *Amount.* All wool on which an appraisal is requested shall be subject to a charge for the appraisal of 1/10 cent per pound, in the case of grease wool, or 5/10 cent per pound, in the case of scoured or carbonized wool, unless the handler notifies CCC in writing before any of the appraisal operations are commenced that the wool is not to be appraised or unless the wool is not appraised because the handler does not follow the instructions of the Appraiser to grade, regrade, scour, and/or carbonize the wool before submitting it for appraisal. Similarly, all wool on which a reappraisal is requested shall be subject to a reappraisal charge of 1/10 cent per pound, in the case of grease wool, or 5/10 cent per pound, in the case of scoured or carbonized wool, if the reappraisal confirms the results of the original appraisal.

(b) *Remittance to CCC.* If the handler does not obtain a nonrecourse loan on all or any part of such wool on or before December 31, 1952, or if a new appraisal is required under § 672.308, the handler shall be responsible for the original appraisal and reappraisal charges and shall on or before December 31, 1952, remit to the PMA Commodity Office the amount of any charges due.

INSURANCE AND RISK OF LOSS

§ 672.320 *Insurance and risk of loss*—(a) *Advance loans.* The handler shall, during the period that wool is pledged to CCC as security for an advance loan, insure such wool, in his own name and without cost to CCC, against loss or damage by fire, lightning, windstorm, tornado, flood, rainstorm, water damage, and any other hazards normally insured against for wool, in an amount not less than the handler's estimate of the appraisal value of such wool used in determining the amount of the advance loan.

(b) *Nonrecourse loans.* Unless directed in writing to do so by CCC, the handler shall not be obligated to insure wool that is pledged to CCC as security for a nonrecourse loan after disbursement of the nonrecourse loan proceeds by CCC. If CCC determines at any time that the storage conditions of any wool pledged to it as security for a nonrecourse loan are such that the additional protection of insurance is necessary, the handler, upon written notice by CCC, shall insure such wool, in his own name and without cost to CCC, against loss or damage from such of the hazards described in paragraph (a) of this section, as CCC directs, and in an amount not less than the appraisal value of the wool. So long as the handler has not been directed by CCC to insure wool pledged to it as security for nonrecourse loans, CCC shall assume the risk, up to the amount of the loan plus accrued interest, of any uninsured physical loss of, or damage to, the wool after disbursement of the loan proceeds by CCC, resulting solely from an external cause other than insect infestation or vermin, if CCC has been given immediate notice in writing of such loss or damage, if such loss or damage occurred without fault, negligence, conversion, or theft of the grower, pool manager, handler, or of any public or private warehouseman, carrier, or other person in whose custody the handler placed the wool, and if there has been no fraudulent representation made by the grower, pool manager, or handler in connection with obtaining the loan. CCC shall not be responsible for loss of, or damage to, any wool prior to the disbursement of the nonrecourse loan proceeds with respect to such wool. Where disbursement of loan proceeds is made by draft or check, the date of the draft or check shall constitute the date of disbursement of the proceeds.

(c) *Loss or damage.* In the event of any loss of or damage to wool pledged to CCC, or to the warehouse or other structure containing such wool, whether or not much loss was insured against, the handler shall immediately notify CCC and the growers or pool manager who delivered such wool to the handler and, if the handler is required by the terms of his agreement with CCC to carry insurance on the wool so lost or damaged, he shall collect any insurance proceeds due and pay such insurance proceeds to CCC after first satisfying any equity the growers may have in such wool as determined by CCC. In the event the handler or other person in whose custody he has placed the wool insures wool when not required under paragraphs (a) and (b) of this section, or insures wool against hazards not required thereunder, such insurance shall inure to the benefit of CCC and the growers owning the wool, as their interests may appear.

GENERAL

§ 672.321 *Transfer in interest under loan.* CCC shall have the right to impose such restrictions upon the transfer by the handler of any right, title or interest of the grower in or to any wool while it is pledged to CCC as it determines are desirable to effectuate the purposes of the 1952 Wool Price Support Program.

§ 672.322 *Contractual rights.* Nothing in this subpart shall change or affect the contractual rights and obligations under the wool handling agreements entered into by and between CCC and the handlers.

Issued this 6th day of August 1952.

[SEAL] W. E. UNDERHILL,
Acting Vice President, Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-8849; Filed, Aug. 8, 1952; 8:55 a. m.]

PART 672—WOOL

SUBPART—1952 WOOL PRICE SUPPORT PROGRAM (PULLED WOOL)

This bulletin states the requirements with respect to the 1952 Wool Price Support Program for pulled wool formulated by Commodity Credit Corporation (hereinafter referred to as "CCC") and the Production and Marketing Administration (hereinafter referred to as "PMA").

PROGRAM OPERATION

AUTHORITY: §§ 672.351 to 672.367 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1446, 1421.

PROGRAM OPERATION

§ 672.351 *Administration.* The program will be carried out by PMA under the general supervision and direction of the President of CCC and in accordance with the bylaws of CCC. Prices of pulled wool will be supported by means of purchases made from pullers who enter into agreements with CCC to store, handle and sell wool for the account of CCC or from pulleries through wool dealers who enter into agreements with CCC to purchase, store, handle and sell wool for the account of CCC (such pullers and wool dealers are hereinafter referred to as "handlers"). In the field, the program will be administered through PMA Commodity Offices. Names of approved handlers may be obtained from PMA Commodity Offices. PMA Commodity Offices and State and County PMA Committees do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements thereto.

ELIGIBILITY

§ 672.352 *Eligible persons.* Pulled wool will be purchased through handlers from pulleries or directly from handlers who are pullers having agreements with CCC.

§ 672.353 *Eligible wool.* Eligible wool shall be wool which meets the following requirements:

(a) The wool must have been removed from the skins of sheep or lambs after slaughter, which have been raised in the continental United States or territories.

(b) The wool must be packed in new bags or bale covers or No. 1 used bags or bale covers that have been disinfected of moth eggs or larvae.

(c) The wool must be wool which does not consist of or contain samples left from wool sold in the open market, vat wool, machine wool, mohair, horse hair, sisal, improperly scoured wool, or any type of wool or foreign matter rejected by the Appraiser.

(d) If the wool is purchased through a handler who is not a puller, it must have been received by the handler from the pullery.

(e) If the wool is purchased through a handler who is not a puller, it must be covered by a statement, which must be preserved in the handler's records, signed by the pullery authorizing the handler to act as the pullery's representative in selling such wool to CCC and certifying that such wool was removed by the pullery from the skins of sheep or lambs raised in the continental United States or territories, that title and beneficial interest in such wool are and have always been in the pullery since the wool was so removed, and that such wool is free and clear of any and all liens and encumbrances.

(f) The wool must meet the other applicable requirements set forth in this subpart.

INELIGIBLE WOOL

§ 672.354 *Liability.* If the handler sells to CCC any wool which is ineligible under the program, as determined by CCC, the handler shall pay to CCC, as liquidated damages, a sum computed at the rate of 10 cents per pound of ineligible grease wool and 15 cents per pound of ineligible scoured or carbonized wool thus sold. A handler who is not a puller shall not be held personally liable for the sale of ineligible wool to CCC as a result of fraudulent representations made by the pullery which delivered such wool to the handler, of which the handler had no knowledge when such ineligible wool was sold to CCC; but in any such case the handler shall exercise reasonable efforts, as directed by CCC, to collect from the pullery and remit to CCC the amount of its damages calculated at the rates specified in this section. Nothing in this section shall be in derogation of any further rights of CCC or the United States against the handler, pullery, or other person under any applicable Federal statute or otherwise.

APPRAISALS

§ 672.355 *Determination of appraisal value.* Wool must be in a warehouse approved by CCC and in merchantable condition before an appraisal is requested and the handler must make a written request, in form approved by CCC, for appraisal of the wool not later than November 30, 1952. The Appraiser shall not be required to appraise wool unless it is in lots of not less than 10,000 pounds of grease wool of the main grades (clear white and stained wools of 50's quality and above), in lots of not less than 5,000 pounds of grease wool of the other grades, and in lots of not less than 2,500 pounds of scoured or carbonized wool irrespective of grade; and the aggregate quantity of grease wool on which an appraisal is requested shall be not less than 25,000 pounds. The appraisal value of wool offered to CCC under this program shall be based on:

(a) The grade, length, type, and classification of the wool as determined by one or more Appraisers employed by the United States Department of Agriculture;

(b) The shrinkage as determined by the core-test method under the supervision of the United States Department of Agriculture unless CCC authorizes the shrinkage to be determined on the basis of an inspection by the Appraiser; and

(c) The value thereof as shown in the Schedule of Purchase Values for Pulled Domestic Wool appearing in § 672.228 (17 F. R. 3263).

If CCC determines that any wool offered for appraisal should be scoured or carbonized, it may require the wool to be scoured or carbonized before the appraisal is made.

§ 672.356 *Reappraisals.* The determination of appraisal value shall be subject to the right of a reappraisal upon written request by the handler to CCC not later than 15 days after the date of the Appraisal Certificate if such wool is available for reappraisal in the same warehouse and in the same quantity and state (i. e., grease, scoured or carbonized) as at the time of the original appraisal. Any such reappraisal shall be final.

§ 672.357 *New appraisals.* If, after wool is appraised or reappraised, any part of it is removed from the warehouse (except with the specific written authorization of CCC), becomes damaged, or the appraisal value thereof is otherwise altered, a new appraisal shall be required on any part of such wool which is still eligible before it is sold to CCC. This provision, however, shall not be construed to require a new appraisal of the remaining part of such wool in cases where bags or bales of wool are sold from the lot or selling samples are removed from bags or bales in the lot, provided the handler maintains an accurate record of such withdrawals. Any request for a new appraisal must be made by the handler not later than November 30, 1952, and the wool will be subject to an appraisal charge as in the case of an original appraisal.

PURCHASES BY CCC

§ 672.358 *Agreement to purchase.* CCC will purchase, subject to the terms and conditions set forth in this subpart, any eligible wool tendered to it on the basis of the appraisal or reappraisal, whichever is applicable: *Provided,* That, at the time the handler requests payment of the purchase price, the wool is in the same warehouse and in the same condition as at the time of appraisal: *And provided further,* That the handler shall refund to CCC the full purchase price on any wool which is lost, destroyed, or damaged before the date of payment of the purchase price to the handler by the PMA Commodity Office (see § 672.365).

§ 672.359 *Payment of purchase price—*(a) *Request for payment.* At any time after wool has been appraised or reappraised, but not later than December 31, 1952, the handler may notify CCC of the election to sell such wool to CCC by executing and delivering to the PMA Commodity Office a Request for Payment, in form prescribed by CCC, accompanied by such documents as CCC may prescribe.

(b) *Delivery of request for payment.* In the case of a Request for Payment received by mail, the time of the postmark recorded by the Post Office Department on the envelope shall be deemed to be the time of delivery to CCC. In all cases where the Request for Payment is not mailed, or if mailed and the postmark is not recorded by the Post Office Department, the time when the Request for Payment is received by the PMA Commodity Office shall be deemed to be the time of delivery.

(c) *Payment by CCC.* Upon receipt of the documents specified, in proper form and properly executed by the handler, the PMA Commodity Office will promptly pay to the handler the purchase price of such wool computed in accordance with § 672.360.

§ 672.360 *Purchase price.* The purchase price paid by CCC for wool sold to it under this program will be the appraisal value thereof, grease, scoured, or carbonized basis, as the case may be, less the following applicable charges:

(a) *Charge for freight.* In the case of wool which is sold to CCC while it is stored in a warehouse located outside the Boston, Massachusetts, storage area (i. e., the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut), there shall be a charge for freight based on the gross shipping weight, as follows:

(1) The minimum carload rail freight rate or rail and water freight rate, whichever is lower, from the point where the wool is stored to Boston.

(2) In cases where water rates are used in computing the freight charge, there shall also be a charge to cover wharfage, and complete marine and war risk insurance.

(3) Applicable Federal transportation taxes shall be included in the freight charge.

(b) *Appraisal and reappraisal charge.* The handler selling wool to CCC shall be required to pay an appraisal charge of $\frac{4}{10}$ cent per pound, in the case of grease wool, and $\frac{8}{10}$ cent per pound, in the case of scoured or carbonized wool, and a reappraisal charge of the same amount in any case where the reappraisal confirms the results of the original appraisal.

§ 672.361 *Determination of weights.* All weights shall be taken by a responsible weighmaster, and the weight sheets shall be signed by the weighmaster and show the number and weight of each bag or bale of wool in the lot and the date on which the weights were taken. The weights prescribed in this section shall be reduced as a result of the withdrawal of selling samples from the bags or bales and the withdrawal of entire

bags or bales of wool from the lot after such weights are taken, and the weight sheets shall clearly show all such adjustments including the dates and quantities of withdrawals.

(a) *Grease wool.* All purchases of grease wool will be on the basis of weights taken within 5 days before or within 5 days after the date core samples are drawn or the date scheduled by CCC for taking core samples. In the event a reappraisal is made in accordance with § 672.356, CCC will have the right to require that the weight of such wool be taken on or after the date on which core samples are drawn for the reappraisal and that the purchase by CCC be made on the basis of such weight.

(b) *Scoured or carbonized wool.* All scoured or carbonized wool will be purchased by CCC on the basis of the weights of the bags or bales taken by the scouring mill promptly upon completion of the processing. (These are the weights customarily taken by the scouring mill for preparing the scouring or carbonizing report.)

§ 672.362 *Payment of purchase price to pullery.* When wool is purchased from a pullery which has not signed an agreement with CCC, the handler will, within 20 days after receiving the purchase price from CCC, pay to the pullery the purchase price of such wool, less any amount agreed upon between the handler and the pullery as the handling charge; except that such charge shall not exceed 1¾ cents per pound of grease wool or 2¼ cents per pound of scoured or carbonized wool. In the event the purchase price, less the applicable handling charge, is not paid to the pullery within 20 days after the handler receives the purchase price, in addition to any rights which may accrue to CCC as a result of the handler's failure to pay such amount to the pullery promptly, the handler shall add to the amount due the pullery a payment for interest at the rate of 6 percent per annum on the amount due from the date the handler received the purchase price until the date payment is made to the pullery.

§ 672.363 *Account sales.* When the handler makes payment for wool that is purchased from a pullery which does not have an agreement with CCC, he shall transmit to the pullery an Account Sale in form approved by CCC, accompanied by a copy of the Appraisal Certificate.

§ 672.364 *Passage of title.* Title to wool purchased by CCC will pass to CCC upon the date of payment of the purchase price to the handler in accordance with § 672.362, except that title shall not so pass on any wool which is lost, destroyed, or damaged prior to the date of such payment of the purchase price (see § 672.365).

§ 672.365 *Risk of loss.* CCC will not be responsible for loss of or damage to any wool prior to the date of payment of the purchase price to the handler as provided in paragraph (c) of § 672.359. Where payment of the purchase price is made by draft or check, the date of the draft or check shall constitute the date of payment of the purchase price.

APPRAISAL CHARGES ON WOOL APPRAISED BUT NOT SOLD TO CCC

§ 672.366 *Appraisal and reappraisal charges*—(a) *Amount.* All wool on which an appraisal is requested shall be subject to a charge for the appraisal of $\frac{4}{10}$ cent per pound, in the case of grease wool, or $\frac{5}{10}$ cent per pound, in the case of scoured or carbonized wool, unless the handler notifies CCC in writing before any of the appraisal operations are commenced that the wool is not to be appraised or unless the wool is not appraised because the handler does not follow the instructions of the appraiser to scour and/or carbonize the wool before submitting it for appraisal. Similarly, all wool on which a reappraisal is requested shall be subject to a reappraisal charge of $\frac{1}{10}$ cent per pound, in the case of grease wool, or $\frac{2}{10}$ cent per pound, in the case of scoured or carbonized wool, if the reappraisal confirms the results of the original appraisal.

(b) *Remittance to CCC.* If CCC is not notified of the election to sell the wool to CCC within the period specified in paragraph (a) of § 672.359 or if a new appraisal is required under § 672.357, the handler shall be responsible for the original appraisal and reappraisal charges and shall on or before December 31, 1952, remit to the PMA Commodity Office the amount of any charges due.

GENERAL

§ 672.367 *Contractual rights.* Nothing in this subpart shall change or affect the contractual rights and obligations under the Wool Handler's Agreements (Pulled Wool) or Wool Puller Agreements entered into by and between CCC and the handlers.

Issued this 6th day of August 1952.

[SEAL] W. E. UNDERHILL,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52-8848; Filed, Aug. 8, 1952; 8:55 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[Bulletin NSCP-1701]

PART 706—NAVAL STORES CONSERVATION PROGRAM

SUBPART—1953

Payments will be made for participation in the 1953 Naval Stores Conservation Program (hereinafter referred to as "this program") in accordance with the provisions of this bulletin and such modifications thereof as may hereafter be made. Payments are predicated upon the economic use and conservation of soil and timber resources on turpentine farms, and computed on the faces in the tract or drift where an approved conservation practice is carried out.

This program provides for payments for conservation practices only on turpentine farms having tracts or drifts of faces which were installed during, or after, the 1949 season.

GENERAL PROVISIONS

Sec.
706.401 Required performance.
706.402 Inspection assistance.
706.403 Fire protection.

CONSERVATION PRACTICES AND RATES OF PAYMENT

706.410 Conservation practices and rates of payment.
706.411 Cupping only trees 9 inches or over d. b. h.; 2 cents per face.
706.412 Continuation of working faces on trees 9 inches or over d. b. h.; ½ cent per face.
706.413 Cupping only trees 10 inches or over d. b. h.; 3½ cents per face.
706.414 Continuation of working faces on trees 10 inches or over d. b. h.; 2 cents per face.
706.415 Cupping only trees 11 inches or over d. b. h.; 4½ cents per face.
706.416 Continuation of working faces on trees 11 inches or over d. b. h.; 2½ cents per face.
706.417 Restricted cupping; 5 cents per face.
706.418 Continuation of restricted cupping practice; 2½ cents per face.
706.419 Selective cupping; 7 cents per face.
706.420 Continuation of selective cupping practice on selected trees; 3 cents per face.
706.421 Bark chipping; 2 cents per face.
706.422 Pilot plant tests; 8 cents or 11 cents per face.

GENERAL PROVISIONS RELATING TO PAYMENTS

706.423 Increase in small payments.
706.424 Maintenance of practices.
706.425 Practices defeating purposes of programs.
706.426 Payment computed and made without regard to claims.
706.427 Assignments.
706.428 Death, incompetency, or disappearance of producer.
706.429 Payments limited to $2,500.
706.430 Evasion.

APPLICATION FOR PAYMENT

706.431 Persons eligible to file applications.
706.432 Time and manner of filing applications and information required.

APPEALS

706.433 Appeals.

DEFINITIONS

706.434 Definitions.

AUTHORITY AND AVAILABILITY OF FUNDS, APPLICABILITY AND ADMINISTRATION

706.435 Authority.
706.436 Availability of funds.
706.437 Applicability.
706.438 Administration.

AUTHORITY: §§ 706.401 to 706.438 issued under sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7-17, 49 Stat. 1148, as amended; 16 U. S. C. 590g-590q.

GENERAL PROVISIONS

§ 706.401 *Required performance.* Each participating producer shall, on every turpentine farm owned or operated by him during the 1953 turpentine season, carry out one of the approved conservation practices in every tract or drift of faces that were installed during the 1949, 1950, 1951, 1952,

or 1953 season, unless the Forest Service approves face installations made without carrying out a conservation practice. In cases where such approval is given for specific tracts or drifts of the turpentine farm, no payment will be made for any faces in such tracts or drifts.

§ 706.402 *Inspection assistance.* Each producer shall assist representatives of the Forest Service in the administration of this program by:

(a) Giving them free access to his turpentine farm or farms;

(b) Counting all faces and keeping written records thereof separately by tracts and drifts;

(c) Furnishing count records and satisfactory evidence of control of faces to the local inspector (area forester) when requested;

(d) Furnishing information on burned areas, cutting operations, and interest in other turpentine farms as requested;

(e) Furnishing competent labor to assist the local inspector (area forester) in counting faces;

(f) Submitting an application for payment (Form NSCP 1703) and other prescribed forms;

(g) Notifying the Forest Service promptly of any change in ownership or control; and

(h) Otherwise facilitating the work of the inspector (area forester) in checking compliance with the terms and conditions of this program.

§ 706.403 *Fire protection.* Each producer shall cooperate with any existing cooperative fire control system serving the general area where his turpentine farm is located, unless he is otherwise following approved forest fire protection on his turpentine farm.

CONSERVATION PRACTICES AND RATES OF PAYMENT

§ 706.410 *Conservation practices and rates of payment.* No tract or drift can qualify for payment under more than one conservation practice other than provided for under § 706.421. No tract or drift having virgin faces installed can qualify for a payment unless the shoulder of the first streak on any face on a round tree which is not deformed is less than 18 inches from the ground. In each of the practices the faces are to be worked sufficiently to obtain at least one dipping of gum.

§ 706.411 *Cupping only trees 9 inches or over d. b. h.; 2 cents per face*—(a) *Payment.* Payment for this practice is limited to tracts or drifts having only virgin working faces, i. e., faces installed for the first working during the 1953 season.

(b) *Performance.* Trees on which faces are installed shall be selected in a manner that will result in having no faces (except back faces on trees having a worked-out face) on trees which are less than 9 inches d. b. h. and only one face on trees less than 14 inches d. b. h.: *Provided,* That the installation of two cups on trees less than 14 inches d. b. h. in any tract or drift may be approved by the Forest Service as meeting the performance requirements of this paragraph where the Forest Service has determined such action conforms to sound forest conservation practice. If faces have been installed contrary to these performance requirements, the cups and tins for such faces shall be removed within 30 days after being discovered unless a longer period of time for their removal is approved by the Forest Service.

§ 706.412 *Continuation of working faces on trees 9 inches or over d. b. h.; ½ cent per face*—(a) *Payment.* Payment for this practice is limited to tracts or drifts having faces installed during the 1949, 1950, 1951 or 1952 season, together with any new faces that may have been installed within such tracts or drifts during the 1953 season.

(b) *Performance.* With the exception of back faces on trees having a worked-out face, the only faces that may be continued as working faces are those on trees which are at least 9 inches d. b. h., and not more than one face may be continued on any tree which is less than 14 inches d. b. h.: *Provided, however,* That faces installed during or after the 1949 season which do not meet the above requirements but were approved for payment under a previous program, will be accepted under this practice if such faces are still being worked in 1953. If faces have been installed contrary to the requirements, the cups and tins on such faces shall be removed within 30 days after being discovered, unless a longer period of time for their removal is approved by the Forest Service.

§ 706.413 *Cupping only trees 10 inches or over d. b. h.; 3½ cents per face*—(a) *Payment.* Payment for this practice is limited to tracts or drifts having only virgin working faces, i. e., faces installed for the first working during the 1953 season.

(b) *Performance.* Trees on which faces are installed shall be selected in a manner that will result in having no working faces on round trees which are less than 10 inches d. b. h. and only one face on trees less than 14 inches d. b. h.: *Provided,* That the installation of two cups on trees less than 14 inches d. b. h. in any tract or drift may be approved by the Forest Service as meeting the performance requirements of this paragraph where the Forest Service has determined such action conforms to sound forest conservation practice. If upon inspection it is found that round trees are cupped less than 10 inches d. b. h., the producer may qualify for payment under the practice specified in § 706.411.

§ 706.414 *Continuation of working faces on trees 10 inches or over d. b. h.; 2 cents per face*—(a) *Payment.* Payment for this practice is limited to tracts or drifts which met the requirements described in § 706.413 in 1950, 1951 or 1952.

(b) *Performance.* New faces installed on any trees in these tracts or drifts will disqualify the tracts or drifts for payment under this practice. If, however, new faces have been installed on any trees, the entire tracts or drifts will be considered only for qualification under the provisions of § 706.412. There may be withheld or required to be refunded, 2 cents per face for each face in the tracts or drifts in which such installation occurs and for which a payment was made in 1950, 1951 or 1952.

§ 706.415 *Cupping only trees 11 inches or over d. b. h.; 4½ cents per face*—(a) *Payment.* Payment for this practice is limited to tracts or drifts having only virgin working faces, i. e., faces installed for the first working during the 1953 season.

(b) *Performance.* Trees on which faces are installed shall be selected in a manner that will result in having no working faces on round trees which are less than 11 inches d. b. h. and only one face on trees less than 14 inches d. b. h.: *Provided,* That the installation of two cups on trees less than 14 inches d. b. h. in any tract or drift may be approved by the Forest Service as meeting the performance requirements of this paragraph where the Forest Service has determined such action conforms to sound forest conservation practice. If upon inspection it is found that round trees are cupped below 11 inches d. b. h., the producer may qualify for practices described in § 706.411 or § 706.413.

§ 706.416 *Continuation of working faces on trees 11 inches or over d. b. h.; 2½ cents per face*—(a) *Payment.* Payment for this practice is limited to tracts or drifts which met the requirements described in § 706.415 in 1949, 1950, 1951 or 1952.

(b) *Performance.* New faces installed on any trees in these tracts or drifts which earned a payment for the 11 inches cupping practice will disqualify the tracts or drifts for payment under this practice. If, however, new faces have been installed on any trees, the entire tracts or drifts will be considered for qualification only under the provisions of § 706.412. There may be withheld or required to be refunded 2½ cents per face for each face in the tracts or drifts in which such installation occurs and for which payment was made in 1949, 1950, 1951 or 1952.

§ 706.417 *Restricted cupping; 5 cents per face*—(a) *Payment.* This practice limits the installation of new 1953 virgin faces to previously worked trees.

(b) *Performance.* Trees on which faces are installed shall be selected in a manner that will result in having no faces on round trees. If, upon inspection, it is found that this requirement is not met, tracts or drifts may qualify for payment under the practice specified in §§ 706.411, 706.413 or 706.415.

§ 706.418 *Continuation of restricted cupping or selective recupping practices; 2½ cents per face*—(a) *Payment.* Payment for this practice is limited to those tracts or drifts which qualified for the restricted cupping or selective recupping practices in 1950, 1951 or 1952.

(b) *Performance.* New faces installed on any trees in these tracts or drifts which earned a payment for the restricted cupping or selective recupping practices will disqualify the tracts or drifts for payment under this practice. If, however, new faces have been installed on any trees, the entire tract or drift will be considered for qualification only under the provisions in § 706.412. There

may be withheld or required to be refunded 3 cents per face for each face in the tracts or drifts in which such installation occurs and for which a payment was made in the 1950, 1951, or 1952 program.

§ 706.419 *Selective cupping; 7 cents per face.* Only trees which should be removed to improve the timber stand will be cupped

(a) *Payment.* Payment for this practice is limited to tracts or drifts having only virgin working faces, i. e., faces installed for the first working during the 1953 season.

(b) *Performance.* Trees on which faces are installed shall be selected in a manner that will result in leaving well distributed over the area at least as many round trees 9 inches or more d. b. h. uncupped as are cupped. The working area shall have a minimum of 25 uncupped round trees per acre which are 9 inches or more d. b. h. when these requirements are not met, the area will be considered for qualification under one of the diameter cupping practices as specified in §§ 706.411, 706.413 or 706.415.

§ 706.420 *Continuation of selective cupping practice on selected trees; 3 cents per face*—(a) *Payment.* Payment for this practice is limited to those tracts or drifts which qualified for the selective cupping practice in the 1949, 1950, 1951 or 1952 program.

(b) *Performance.* New faces installed on round trees in these tracts or drifts will disqualify the tracts or drifts for payment under this practice. If however, new faces have been installed on round trees the entire tract or drift will be considered for qualification only under the provisions of § 706.412. There may be withheld or required to be refunded 4 cents per face for each face in the tracts or drifts in which such installation occurs, and for which a payment was made in 1949, 1950, 1951 and 1952 program.

§ 706.421 *Bark chipping; 2 cents per face*—(a) *Payment.* Payment for this practice is limited to tracts or drifts having only virgin working faces, i. e., faces installed for the first working during the 1953 season as provided for under §§ 706.411, 706.413, 706.415, 706.417, 706.419, or 706.422. This payment is in addition to that authorized for meeting the requirements of §§ 706.411, 706.413, 706.415, 706.417, 706.419, or 706.422.

(b) *Performance.* Trees on which faces are installed shall be chipped in a manner that will result in removing only the bark down to the wood. This payment is conditioned on the continuation of the bark chipping method throughout the life of the face in accordance with § 706.424.

§ 706.422 *Pilot plant tests; 8 cents or 11 cents per face*—(a) *Payment.* Payment for this practice will be limited to a small number of producers who are selected by the Forest Service to conduct controlled experiments in new methods and equipment for gum production. The 8 cents per face payment will apply to faces which meet the requirements of § 706.411 or § 706.412. The 11 cents per face payment will apply to faces which meet the requirements of §§ 706.413, 706.414, 706.415, 706.416, 706.417, 706.418, 706.419, or 706.420.

(b) *Performance.* The experiments are to be carried out in accordance with provisions prescribed by the Forest Service.

GENERAL PROVISIONS RELATING TO PAYMENTS

§ 706.423 *Increase in small payments.* The total payment computed for any producer with respect to his turpentine farm shall be increased as follows: (a) Any payment amounting to 71 cents or less shall be increased to $1.00; (b) any payment amounting to more than 71 cents but less than $1.00 shall be increased by 40 percent; (c) any payment amounting to $1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
$1.00 to $1.99	$0.40	$32.00 to $32.99	$10.40
$2.00 to $2.99	.80	$33.00 to $33.99	10.60
$3.00 to $3.99	1.20	$34.00 to $34.99	10.80
$4.00 to $4.99	1.60	$35.00 to $35.99	11.00
$5.00 to $5.99	2.00	$36.00 to $36.99	11.20
$6.00 to $6.99	2.40	$37.00 to $37.99	11.40
$7.00 to $7.99	2.80	$38.00 to $38.99	11.60
$8.00 to $8.99	3.20	$39.00 to $39.99	11.80
$9.00 to $9.99	3.60	$40.00 to $40.99	12.00
$10.00 to $10.99	4.00	$41.00 to $41.99	12.10
$11.00 to $11.99	4.40	$42.00 to $42.99	12.20
$12.00 to $12.99	4.80	$43.00 to $43.99	12.30
$13.00 to $13.99	5.20	$44.00 to $44.99	12.40
$14.00 to $14.99	5.60	$45.00 to $45.99	12.50
$15.00 to $15.99	6.00	$46.00 to $46.99	12.60
$16.00 to $16.99	6.40	$47.00 to $47.99	12.70
$17.00 to $17.99	6.80	$48.00 to $48.99	12.80
$18.00 to $18.99	7.20	$49.00 to $49.99	12.90
$19.00 to $19.99	7.60	$50.00 to $50.99	13.00
$20.00 to $20.99	8.00	$51.00 to $51.99	13.10
$21.00 to $21.99	8.20	$52.00 to $52.99	13.20
$22.00 to $22.99	8.40	$53.00 to $53.99	13.30
$23.00 to $23.99	8.60	$54.00 to $54.99	13.40
$24.00 to $24.99	8.80	$55.00 to $55.99	13.50
$25.00 to $25.99	9.00	$56.00 to $56.99	13.60
$26.00 to $26.99	9.20	$57.00 to $57.99	13.70
$27.00 to $27.99	9.40	$58.00 to $58.99	13.80
$28.00 to $28.99	9.60	$59.00 to $59.99	13.90
$29.00 to $29.99	9.80	$60.00 to $185.99	14.00
$30.00 to $30.99	10.00	$186.00 to $199.99	(1)
$31.00 to $31.99	10.20	$200.00 and over	(2)

[1] Increase to $200.
[2] No increase.

§ 706.424 *Maintenance of practices.* Any payment for performance of approved practices included in this program will be subject to the condition that the producer to whom the payment is made will maintain such practices in accordance with good forestry practices.

§ 706.425 *Practices defeating purposes of programs.* If the Forest Service finds that any producer has adopted or participated in any practice which tends to defeat the purposes of this program or previous programs, it may withhold or require to be refunded all or any part of any payment which has been or otherwise would be made to such producer under this program. Practices which tend to defeat the purposes of this and previous programs shall include, but are not restricted to, the following:

(a) The cutting contrary to good forestry practice of turpentine trees in drifts or tracts (including current nonworking areas) on which conservation payments have been or would be made under this or the 1949, 1950, 1951, or 1952 programs. There may be withheld or required to be refunded 3 cents per face for each face that was worked in 1949, 1950, 1951, 1952, or 1953 in the tracts or drifts in which such cutting occurs. Conformity to the following rules shall be considered good cutting practice.

(1) When turpentine trees are cut for thinnings at least 150 trees per acre of approximately the same size as the trees which are cut should be left uncut and undamaged and well distributed over the cutting area.

(2) When turpentine trees are cut in a harvest cutting at least six thrifty turpentine seed trees per acre, 10 inches d. b. h. or more shall be left uncut and undamaged, or if clear cut artificial planting of at least 500 trees per acre will be accomplished within two years.

(b) The burning by the producer on any drift or tract of his turpentine farm which will destroy natural reforestation on land which is not fully stocked with turpentine trees or which will result in damage to established turpentine tree reproduction. There may be withheld or required to be refunded all or any part of the payment earned under this program on the drifts or tracts in which such improper burning occurs.

(c) The installation of new faces on round trees less than 9 inches d. b. h. or more than one face on round trees less than 14 inches d. b. h. in tracts or drifts having working faces installed during or prior to the 1948 turpentine season. There may be withheld or required to be refunded, 2 cents per face for each working face installed during or prior to 1948 in the tracts or drifts in which such installation occurs.

§ 706.426 *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under State law; without deduction of claims for advances (except as provided in § 706.427 and except for indebtedness to the United States subject to set-off under orders issued by the Secretary (12 F. R. 1187)) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

§ 706.427 *Assignments.* Any producer who may be entitled to any payment in connection with this program may assign his payment, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1953. No assignment will be recognized unless it is made in writing on Form ACP-69 in accordance with the applicable instructions (ACP-70) witnessed, however, by an inspector or the program supervisor of the Forest Service and filed with the Forest Service, Valdosta, Georgia.

§ 706.428 *Death, incompetency, or disappearance of producer.* In case of death, incompetency, or disappearance of any producer, his share of the payment shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP-122, as amended. (5 F. R. 2875; 6 F. R. 1647, 4430; 9 F. R. 12237)

§ 706.429 *Payments limited to $2,500.* The total of all payments made in connection with the 1953 Naval Stores

Conservation Program and the 1953 Agricultural Conservation Program to any producer participating in said program(s) shall not exceed the sum of $2,500.

§ 706.430 *Evasion.* All or any part of any payment which has been or otherwise would be made to any producer participating in this program may be withheld or required to be refunded if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means which was designed to evade, or which has the effect of evading, the provisions of § 706.429.

APPLICATION FOR PAYMENT

§ 706.431 *Persons eligible to file applications.* An application for payment may be filed by any producer who is working faces for the production of gum naval stores, during the 1953 turpentine season, which were installed during or after the 1949 season. If one producer conducts the operation of a turpentine farm during a portion of the 1953 turpentine season and another producer conducts the operation of the turpentine farm during the remainder of the season, the producer who completes the conservation practices shall file the application.

§ 706.432 *Time and manner of filing applications and information required.* Payments will be made only when a report of performance is submitted to the Forest Service on or before January 15, 1954, on the prescribed form (NSCP–1703) Application for Payment. Payment may be withheld from any producer who fails to file any form or furnish any information required with respect to any turpentine farm which is being operated by him.

APPEALS

§ 706.433 *Appeals.* Any producer may, within 15 days after notice thereof is forwarded to or made available to him, request the Regional Forester in writing to review the recommendation or determination of the Program Supervisor in any matter affecting the right to or the amount of payment with respect to the producer's turpentine farm. The Regional Forester shall notify the producer of his decision in writing within 30 days after the submission of the appeal. If the producer is dissatisfied with the decision of the Regional Forester he may, within 15 days after the decision is forwarded to or made available to him, request the American Turpentine Farmers Association Cooperative, Valdosta, Georgia, in writing to appoint a committee of fellow producers to review the case; if the committee does not concur with the decision of the Regional Forester, the producer may request the Chief of the Forest Service to review the case and render his decision, which shall be final.

DEFINITIONS

§ 706.434 *Definitions*—(a) *Gum naval stores.* Crude gum (oleoresin), gum turpentine and gum rosin produced from living trees.

(b) *Producer.* Any person, firm, partnership, corporation, or other business enterprise, doing business as a single legal entity, producing gum naval stores from turpentine trees controlled through fee ownership, cash lease, percentage lease, share lease, or other form of control.

(c) *Turpentine tree.* Any tree of either of the two species, longleaf pine (Pinus palustria) or slash pine (Pinus caribaea).

(d) *Turpentine farm.* This includes (1) land growing turpentine trees, owned or leased by a producer in one general locality, which are currently being worked for gum naval stores, herein referred to as a working area; and (2) all commercially valuable or potentially valuable forest land, owned by a producer, on which turpentine trees are growing and which are not being currently worked for gum naval stores, herein referred to as a nonworking area.

(e) *Tract.* A portion of a working area having a continuous stand of trees supporting faces of one age class or intermingled age classes.

(f) *Drift.* A portion or subdivision of a tract set apart for convenience of operation or administration.

(g) *Crop.* 10,000 faces.

(h) *Face.* The whole wound or aggregate of streaks made by chipping, streaking, or pulling the live tree to stimulate the flow of crude gum (oleoresin), herein referred to as gum.

(i) *Cup.* A container made of metal, clay, or other material hung on or below the face to accumulate the flow of gum.

(j) *Tins.* The gutters or aprons, made of sheet metal or other material, used to conduct the gum from a face into a cup.

(k) *D. b. h.* Diameter breast height; i. e., diameter of tree measured 4½ feet from the ground.

(l) *Round tree.* Any tree which has not been faced or scarred.

(m) *Scarred tree.* A tree having an idle face not over 36 inches in vertical measurement from the shoulder of the first streak to the shoulder of the last streak.

(n) *Worked-out face.* An idle face which is 60 inches or more in vertical measurement between the shoulder of the first streak and the shoulder of the last streak, or a dry face.

(o) *Bark chipping.* A method of chipping by which only the bark is removed down to the wood leaving the face round.

AUTHORITY AND AVAILABILITY OF FUNDS, APPLICABILITY AND ADMINISTRATION

§ 706.435 *Authority.* This program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended.

§ 706.436 *Availability of funds.* (a) The provisions of this program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments provided for in this subpart is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will be finally determined by such appropriation and by the extent of participation in this program.

(b) The funds provided for this program will not be available for the payment of applications filed after December 31, 1954.

§ 706.437 *Applicability.* (a) The provisions of this program are not applicable to any turpentining operations within the public domain of the United States, including the lands and timber owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership (such lands include, but are not limited to lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the Department of Agriculture, or by the Bureau of Land Management or the Fish and Wildlife Service of Department of the Interior).

(b) This program is applicable to (1) turpentine farms on privately owned lands, (2) lands owned by a State or a political subdivision or agency thereof, or (3) lands owned by corporations which are either partly or wholly owned by the United States provided such lands are temporarily under such government or corporation ownership and are not acquired or reserved for conservation purposes. Only turpentine farms on lands that are administered by the Farmers Home Administration, the Reconstruction Finance Corporation, or the Federal Farm Mortgage Corporation, Production Credit Associations, or the U. S. Department of Defense, shall be considered eligible unless the Forest Service finds that land administered by any other agency complies with all of the foregoing provisions for eligibility.

§ 706.438 *Administration.* The Forest Service shall have charge of the administration of this program and is hereby authorized to prepare and to issue such bulletins, instructions and forms, and to make such determinations, as may be required to administer this program, pursuant to the provisions of this bulletin, and the field work shall be administered by the Forest Service through the office of the Regional Forester, United States Forest Service, 50 Seventh Street, NE., Atlanta 5, Georgia. Information concerning this program may be secured from the Forest Service, Valdosta, Georgia, or from any local Area Forester of the Forest Service.

Done at Washington, D. C., this 5th day of August 1952.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 52-8792; Filed, Aug. 8, 1952; 8:50 a. m.]

[1026 (Peanuts-52)-1, Amdt. 2]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR 1952 CROP

Basis and purpose. Section 359 (a) of the Agricultural Adjustment Act of 1938, as amended, provides that the marketing of any peanuts in excess of the marketing quota for the farm on which such peanuts are produced, or the marketing of peanuts from any farm for which no acreage allotment was determined, shall be subject to a penalty at a rate equal to 50 per centum of the basic rate of the loan (calculated to the nearest tenth of a cent) for farm marketing quota peanuts for the marketing year August 1–July 31. When the Marketing Quota Regulations for the 1952 Crop of Peanuts were issued by the Secretary of Agriculture on May 8, 1952, the basic loan rate per pound of peanuts was not available and the exact rate of penalty could not be included in such regulations. Such loan rate, which is based on the parity price for peanuts on July 15, 1952, is now available and the purpose of the amendment contained herein is to establish and include in the regulations the exact rate of the penalty per pound of peanuts for the 1952 crop.

Peanuts are presently being harvested in the southwesterly areas of the United States and it is necessary that the amendment set forth herein be made effective at the earliest possible date in order that the exact rate of penalty may be made known to producers who desire to market peanuts, and to buyers who are charged in the regulations with the duty of collecting the penalty on peanuts marketed subject to the penalty. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act (5 U. S. C. 1003) is impracticable and contrary to the public interest, and the amendment contained herein shall be effective upon filing of this document with the Director, Division of the Federal Register.

Section 729.355 (a) of the Marketing Quota Regulations for the 1952 Crop of Peanuts (17 F. R. 4317), is amended by changing the second sentence to read as follows: "The basic rate of the loan or support price for peanuts of the 1952 crop is 11.97 cents per pound, and the basic penalty rate is, therefore, 6.0 cents per pound."

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. and Sup. 1375. Interprets or applies sec. 359, 55 Stat. 90, as amended; 7 U. S. C. and Sup. 1359)

Done at Washington, D. C., this 5th day of August 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 52-8793; Filed, Aug. 8, 1952; 8:50 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 812, Amdt. 1]

PART 812—SUGAR REQUIREMENTS AND QUOTAS: HAWAII AND PUERTO RICO

CALENDAR YEAR 1952

Basis and purpose. The revised determination of sugar requirements and the revised sugar quotas for Puerto Rico set forth below have been made and established pursuant to section 203 of the Sugar Act of 1948 (hereinafter called the "act"). The act requires that the Secretary shall revise the determination of sugar requirements at such times during the calendar year as may be necessary. It now appears that the estimate of requirements for Puerto Rico for the calendar year 1952, announced on December 27, 1951, was too low. The purpose of this revision is to make such estimate and the quota related thereto conform to the requirements presently indicated on the basis of the applicable factors specified in section 203 of the act.

The determination of sugar requirements affects the amount of sugar refined in Puerto Rico for local distribution and it is desirable, for economic reasons, for refining to be completed while sugarcane is being ground or in a short period after its completion. In order to effectively carry out the purposes of the Sugar Act, it is necessary that the revision in the determination be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of the Administrative Procedure Act is impracticable and contrary to the public interest, and the revision of the determination made herein shall be effective on the date of its publication in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948 (61 Stat. 922, 7 U. S. C., Sup. I, 1100) and the Administrative Procedure Act (60 Stat. 237), Sugar Regulation 812 determining sugar requirements and quotas for the Territory of Hawaii and Puerto Rico for the calendar year 1952 is hereby amended by revising § 812.5 to read as follows:

§ 812.5 *Sugar requirements and quotas*—(a) *Revised sugar requirements.* It is hereby determined pursuant to section 203 of the act, that the amount of sugar needed to meet the requirements of consumers in the Territory of Hawaii for the calendar year 1952 is 45,000 short tons of sugar, raw value, and that the amount of sugar needed to meet the requirements of consumers in Puerto Rico for the calendar year 1952 is 110,000 short tons, raw value.

(b) *Revised local consumption quotas.* There are hereby established, pursuant to section 203 of the act, for local consumption in the Territory of Hawaii and in Puerto Rico, for the calendar year 1952 the following quotas:

Area:	*Quotas in terms of short tons, raw value*
Hawaii	45,000
Puerto Rico	110,000

Statement of bases and considerations. Sugar Regulation 812 (17 F. R. 6) established the 1952 sugar requirements and quota for local consumption in Puerto Rico at 100,000 tons of sugar, raw value, on the basis that 97,000 tons of sugar, raw value, had been distributed during the 12 months ending October 31, 1951. The rate of distribution has increased so that a total of about 102,000 short tons, raw value, was distributed both in the calendar year 1952 and in the 12 months ended June 30, 1952. Furthermore, the quantity charged to the local quota (largely raw sugar to be further refined) can be expected to exceed "distribution" (currently almost wholly refined sugar) by about 3,500 tons a year.

At the end of 1951, refiners in Puerto Rico held no stocks intended for local distribution in 1952 before sugar became available from new-crop operations. To insure availability of adequate supplies of sugar for local consumption in Puerto Rico at all times, it appears desirable for the refiners to carry some year-end stocks. Sugar for such stocks at the end of 1952 to be held by refiners who are not themselves allottees of the local quota would be charged to the local quota for 1952 and would be available for distribution without charge to a 1953 quota or allotment. Any acquisition of local quota sugar by refiners for year-end stocks will further increase the excess of quota charges over distribution in 1952.

Experience in 1951 indicated that some growers of sugarcane might not have equitable opportunities to market sugar received in payment for cane, if the local quota proved somewhat in excess of the quantity actually needed. The allotment order for 1952, issued after the initial quota was determined, provides for equitable adjustment of grower participation in local allotments regardless of the size of the quota. Accordingly, there now appears to be no disadvantage in a quota for local consumption in Puerto Rico large enough to insure continuous availability of 1951–52 crop sugar for local distribution at competitive prices until sugar becomes generally available under the 1953 quota.

These factors warrant an increase to 110,000 short tons, raw value, in the quota for local consumption in Puerto Rico for 1952.

No change is made in the requirements and quota for local consumption in Hawaii.

(Sec. 403, 61 Stat. 933; 7 U. S. C. 1153)

Done at Washington, D. C., this 6th day of July 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] C. J. McCORMICK,
Acting Secretary.

[F. R. Doc. 52-8850; Filed, Aug. 8, 1952; 8:56 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Pear Order 5]

PART 939—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON AND CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 939.305 *Pear Order 5*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939), regulating the handling of the Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations and information submitted by the Control Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such pears, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than August 11, 1952. A reasonable determination as to the composition of the available supplies of such pears, and therefore the extent of grade and size regulation warranted, must await the development of the crop; recommendations as to the need for, and the extent of, regulation of shipments of such pears were made by said committee on July 15, 1952, after consideration of all information then available relative to the supply and demand conditions for such pears, at which time such recommendations and supporting information were submitted to the Department and notice thereof given to handlers and growers; necessary supplemental information was not available to the Department until August 5, 1952; shipments of the current crop of such pears are expected to begin on or about August 12, 1952, and this section should be applicable to all shipments of such pears in order to effectuate the declared policy of the act; and compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., August 11, 1952, and ending at 12:01 a. m., P. s. t., July 1, 1953, no handler shall, except to the extent otherwise prescribed in this paragraph ship:

(i) Any Beurre D'Anjou pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 195 size: *Provided,* That Beurre D'Anjou pears may be shipped to destinations other than export markets when bearing unhealed broken skins or skin punctures measuring not to exceed three-sixteenth of one inch in diameter or depth, as the case may be, if they otherwise meet the requirements of the U. S. Combination Grade;

(ii) Any Winter Nelis pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 225 size;

(iii) Any Beurre Bosc or Doyenne du Comice pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 180 size; or

(iv) Any Beurre Easter or Beurre Clairgeau pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 180 size.

(2) Pears grown in the Medford District or in the Hood River-White Salmon-Underwood District which fail to meet the requirements with respect to shape specified in the U. S. No. 2 grade only because of frost injury may be shipped to destinations other than export markets: *Provided,* That such pears are not very seriously misshapen.

(3) Pears grown in the Wenatchee District or in the Yakima District which fail to meet the requirements with respect to shape specified in the U. S. No. 2 grade only because of frost injury or healed hail marks may be shipped to destinations other than export markets: *Provided,* That such pears are not very seriously misshapen.

(4) As used in this section, "pears," "handler," "ship," "shipments," "shipped," "export markets," "Hood River-White Salmon-Underwood District," "Wenatchee District," "Yakima District," and "Medford District" shall have the same meaning as when used in the aforesaid amended marketing agreement and order; "U. S. No. 2," "U. S. Combination Grade," "frost injury," and "hail marks" shall have the same meaning as when used in the United States Standards for Winter Pears such as Anjou, Bosc, Winter Nelis, Comice, and other similar varieties, issued by the United States Department of Agriculture (7 CFR 51.332); "very seriously misshapen" shall mean that the pear is excessively flattened or elongated for the variety, or is constricted or deformed so it will not cut one good half or two fairly uniform quarters; and "180 size," "195 size," and "225 size" shall mean that the pears are of a size which, as indicated by the size number, will pack, in accordance with the sizing and packing specifications of a standard pack, as specified in said United States Standards, 180, 195, or 225 pears, respectively, in a standard western pear box (inside dimensions, 18 inches long by 11½ inches wide by 8½ inches deep).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 8th day of August 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-8905; Filed, Aug. 8, 1952; 11:21 a. m.]

[Lemon Reg. 447]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.554 *Lemon Regulation 447*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on August 6, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective

during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 10, 1952, and ending at 12:01 a. m., P. s. t., August 17, 1952, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 450 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is set forth below and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 7th day of August 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage date: Aug. 3, 1952]

DISTRICT NO. 2

[12:01 a. m. Aug. 10, 1952, to 12:01 a. m. Aug. 24, 1952]

Handler	Prorate base (percent)
Total	100.000
American Fruit Growers, Inc., Corona	.240
American Fruit Growers, Inc., Fullerton	.346
American Fruit Growers, Inc., Upland	.258
Badington Fruit Co	.189
Ventura Coastal Lemon Co	2.646
Ventura Pacific Co	2.943
Glendora Lemon Growers Association	1.189
La Verne Lemon Association	.587
La Habra Citrus Association	1.060
Yorba Linda Citrus Association, The	.595
Escondido Lemon Association	1.911
Alta Loma Heights Citrus Association	.610
Etiwanda Citrus Fruit Association	.260
Mountain View Fruit Association	.177
Old Baldy Citrus Association	.685
San Dimas Lemon Association	.680
Upland Lemon Growers Association	6.019
Central Lemon Association	.645
Irvine Citrus Association	.644
Placentia Mutual Orange Association	.275
Corona Citrus Association	.131
Corona Foothill Lemon Co	2.847
Jameson Co	.633
Arlington Heights Citrus Co	.573
College Heights Orange & Lemon Association	2.570
Chula Vista Citrus Association, The	0.832
Escondido Cooperative Citrus Association	.172
Fallbrook Citrus Association	1.836
Lemon Grove Citrus Association	.279
Carpinteria Lemon Association	3.446
Carpinteria Mutual Citrus Association	3.497
Goleta Lemon Association	4.836
Johnston Fruit Co	6.386
Hazeltine Packing Co	.345
North Whittier Heights Citrus Association	.626
San Fernando Heights Lemon Association	.289
Sierra Madre-Lamanda Citrus Association	.384
Briggs Lemon Association	2.757
Culbertson Lemon Association	1.565
Fillmore Lemon Association	.888
Oxnard Citrus Association	6.490
Rancho Sespe	.993
Santa Clara Lemon Association	3.977
Santa Paula Citrus Fruit Association	3.619
Saticoy Lemon Association	4.904
Seaboard Lemon Association	5.318
Somis Lemon Association	4.022
Ventura Citrus Association	1.305
Ventura County Citrus Association	.512
Limoneira Co	2.867
Teague-McKevett Association	.676
East Whittier Citrus Association	.441
Leffingwell Rancho Lemon Association	.604
Murphy Ranch Co	1.590
Chula Vista Mutual Lemon Association	.633
Index Mutual Association	.269
La Verne Cooperative Citrus Association	1.730
Orange Belt Fruit Distributors	.474
Ventura County Orange & Lemon Association	2.546
Whittier Mutual Orange & Lemon Association	.099
Allen, Floyd L	.000
Evans Bros. Packing Co	.000
Huarte, Joseph D	.000
Latimer, Harold	.021
MacDonald Fruit Co	.000
Paramount Citrus Association, Inc	.059
Torn Ranch	.000
Valdora, Albert	.000

[F. R. Doc. 52-8897; Filed, Aug. 8, 1952; 8:49 a. m.]

PART 979—IRISH POTATOES GROWN IN EASTERN SOUTH DAKOTA PRODUCTION AREA

RECODIFICATION

Correction

In F. R. Doc. 52-8174, appearing at page 6810 of the issue for Friday, July 25, 1952, the following changes should be made:

1. In the fifth line of § 979.7, "directed" should be "directly" so that the line now reads: "directly to burden, obstruct, or affect".

2. In the first sentence of § 979.23 (b), "Selection" should be "Election" so that the first phrase of the sentence now reads: "Election of nominees may be effected".

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Overriding Regulation 3, Amdt. 5]

GOR 3—EXEMPTIONS OF CERTAIN RUBBER, CHEMICAL AND DRUG COMMODITY TRANSACTIONS

EXEMPTION OF NEW DRUGS, CHEMICAL SPECIALTIES, COSMETICS AND EXPERIMENTAL CHEMICALS AND DRUGS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 5 to General Overriding Regulation 3 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 3 exempts from price control the first $25,000 sales of a chemical specialty or cosmetic when sold by a small manufacturer thereof. It also exempts a manufacturer's sales of a new drug until sales reach $1,000. Finally, it exempts a manufacturer's sales of a chemical or drug in the experimental stage of production, until sales reach $25,000, at which time further exemption may be requested.

General Overriding Regulation 3 now exempts sales by a manufacturer of a chemical which he did not sell prior to January 26, 1951, until sales of that chemical exceed $1,000. The drug industry, like the chemical industry, engages in extensive programs of research and development. These result in the introduction of numerous new products, many of which are short-lived and of insignificant importance to the economy so long as sales are in small quantity. This amendment, therefore, provides that drugs, as well as chemicals be included in the exemption of section 2 (a).

The great majority of firms which manufacture chemical specialties and cosmetics have total annual sales of less than $250,000. They are often set up with limited financial resources to launch a single product. A large variety of new products are introduced to the market annually and are often discontinued after preliminary marketing. As a result, a large number of manufacturers enter and leave the industry annually. Small firms find it difficult to ascertain costs, especially in the early stages of production, or to promote the product until public acceptance has been won. Accordingly, the new paragraph 2 (b) exempts the first $25,000 sales of a chemical specialty or cosmetic by a manufacturer whose total annual sales for all commodities are $250,000 or less, if he did not sell that product before January 26, 1951.

General Overriding Regulation 3 now exempts chemicals in the experimental stage of production on condition that no sales be made which will bring total sales of that chemical over $1,000, unless the manufacturer applies for further exemption. Because of the extensive research

and development programs necessary before a chemical is ready for commercial manufacture, the $1,000 exemption has proven to be too low. In order to reduce the reporting requirements for affected manufacturers as well as the administrative workload on the Office of Price Stabilization, this amendment raises to $25,000 the amount of total sales which are exempt without the necessity of applying for further exemption. Likewise, drugs are now included in this exemption, since experimental problems and development programs in the case of drugs are similar to those in the chemical industry. Accordingly, the former paragraph (b) of section 2 has been so amended and designated paragraph (c). This has made it necessary to change the designations of former paragraphs (c), (d), (e) and (f) of section 2 to (d), (e), (f) and (g) respectively.

Section 5 has been added to define the major terms used in the regulation. The definitions of "Drug" and "Cosmetic" are in accordance with those used in Ceiling Price Regulation 22, Appendix A and SR 67 to the General Ceiling Price Regulation, respectively. "Chemical specialty" is defined to include a large variety of chemical compositions for household, institutional and industrial use.

When an exemption under section 2 terminates, a manufacturer is, of course, bound to establish a ceiling price for the formerly exempt commodity and to observe the reporting and record-keeping requirements of the applicable regulation.

This amendment will relieve manufacturers and the Office of Price Stabilization from the burden of establishing ceiling prices for numerous small transactions in new commodities, which transactions are insignificant in their effect on the stabilization program.

In the formulation of this amendment special circumstances have rendered consultation with industry representatives impracticable. Affected individuals were, however, met with informally and consideration given their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 3 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *Exemption of certain chemical and related commodity transactions.* No price regulation issued by the Office of Price Stabilization shall apply to the following:

(a) *New chemicals and drugs.* Sales of a chemical or drug by a manufacturer thereof which that manufacturer did not sell or offer for sale before January 26, 1951, until the total sales of that chemical or drug exceed $1,000.

(b) *New chemical specialties and cosmetics.* Sales of a chemical specialty or cosmetic by a manufacturer thereof which that manufacturer did not sell or offer for sale before January 26, 1951 until the gross sales for that chemical specialty or cosmetic exceed $25,000. This exemption shall apply only to a manufacturer whose total gross sales for all commodities during the last fiscal year were less than $250,000 or who has not completed his first fiscal year of business, and shall terminate when the total gross sales for all commodities for any fiscal year or part thereof reach $250,000.

(c) *Experimental chemicals and drugs.* Sales of a chemical or drug which is in the experimental stage of production by a manufacturer thereof on condition, however, that before making any sale of any such chemical or drug which would bring the total sales thereof to a sum in excess of $25,000, the manufacturer must file with the Office of Price Stabilization, Rubber, Chemicals and Drugs Division, Washington 25, D. C., a report setting forth his name and address and a description of the chemical or drug, the reasons why he considers the chemical or drug to be in an experimental stage of production, the prices he proposes to charge for the chemical or drug during the experimental stage of production, and the monthly volume which he believes would represent commercial production as opposed to the experimental stage of production. Unless the Office of Price Stabilization by letter disapproves this report or requests further information within twenty days, sales of the chemical or drug shall continue to be exempted from price control until the volume of production specified in the report as commercial production is reached or until the Office of Price Stabilization notifies the manufacturer that his report has been disapproved.

(d) *Certain reagent chemicals.* The following when sold for the purpose of scientific and medical research, for analytical and educational uses, and for quality control of industrial products: Reagent chemicals, laboratory reagent specialty solutions and prepared culture media.

(e) *Butadiene.* Butadiene derived from non-petroleum sources when sold for use in the manufacture of synthetic rubber.

(f) *Certain fertilizer materials.* All sales of the following listed fertilizer materials when sold within the 48 States of the United States and the District of Columbia:

Acid fish scrap.
Almond shells.
Beet sugar residue.
Cocoa shell meal.
Cocoa tankage.
Compost.
Cotton hull ashes.
Distillery waste.
Furfural waste.
Grape pomace.
Guano.
Hoof and horn meal.
Humus.
Manure (animal and fowl excrement only).
Mowrah meal.
Muck.
Mustard meal.
Peanut hulls.
Peat.
Peat moss.
Precipitated bone.
Rapeseed meal.
Ravison meal.
Spent bone black.
Tung nut hulls.
Tung oil pomace.
Wood ashes.
Wood waste.

(g) *Uranium compounds.* Sales of uranium salts and oxides produced and sold under license of the Atomic Energy Commission.

2. A new section designated section 5 is added to read as follows:

SEC. 5. *Definitions.* When used in this regulation the terms:

(a) "Chemical specialty" means a chemical composition or mixture prepared for (1) institutional or household purposes, including but not limited to cleaning and sweeping compositions, disinfectants, household insecticides, germicides, mothproofing agents, polishes for automobiles, furniture, floor, glass and silver, bleaches, blueing, household cements, pastes and adhesives, and stain remover; or (2) industrial use in the processing or treatment of textiles, leather, paper and pulp, rubber, ceramics and petroleum, as well as for use in metal refining and working, electroplating, laundry and dry cleaning operations, building and plant maintenance and similar industrial operations.

(b) "Drug" means any proprietary drug product, and any drug and medicine of the kind listed in Major Group 65, Standard Commodity Classification, Technical Paper No. 26, Volume 1, United States Government Printing Office, 1943, except those commodities (such as Phenol U. S. P., aluminum sulfate and magnesium sulfate) which manufacturers generally sell principally for non-medicinal uses.

(c) "Cosmetic" means any product intended to be rubbed, poured, sprinkled or sprayed upon, or introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance. "Cosmetic" does not include any product for internal or external use intended to be used for the diagnosis, cure, mitigation, or prevention of diseases of man or other animals, or any product whose label indicates it may be for such use. Soaps are not cosmetics, but as used herein, the term "cosmetic" includes shaving soaps and liquid shampoos.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This amendment shall become effective August 7, 1952.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 7, 1952.

[F. R. Doc. 52-8880; Filed, Aug. 7, 1952; 4:34 p. m.]

[General Overriding Regulation 4, Revision 1, Amdt. 6]

GOR 4—EXEMPTIONS AND SUSPENSIONS OF CERTAIN CONSUMER SOFT GOODS

EXEMPTION OF SCRAP LEATHER NOT SUITABLE FOR PRODUCING CUT PARTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Or-

der 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 6 to General Overriding Regulation 4, Revision 1 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from ceiling price control all sales of scrap leather not suitable for producing cut parts. Sales of this commodity have been subject to the General Ceiling Price Regulation. Amendment 4 to General Overriding Regulation 4, Revision 1, issued June 23, 1952, suspended from price control manufacturers' and wholesalers' sales of all other leather, except sales made in the territories and possessions of the United States. Scrap leather not suitable for producing cut parts was not included in this suspension because information available to the Director of Price Stabilization indicated that the situation of the commodity did not meet suspension criteria. For example, this scrap leather is currently and has been selling at ceiling prices.

A further study of this commodity, however, revealed facts that have led the Director to conclude that it should be exempted from price control. In the judgment of the Director, scrap leather not suitable for producing cut parts should be exempted from the application of any ceiling price regulation because it is of minor significance to the cost of living, the cost of the defense effort or general current industrial costs, and has no appreciable effect upon the price ceilings of other commodities which are important to such costs, and because retaining it under price control will involve an administrative and enforcement burden out of all proportion to its importance.

The scrap leather exempted by this amendment is produced by shoe manufacturers, tanners and leather cutters as a by-product of their operations. It is generally too small or otherwise unsuitable for cutting into parts to be used in shoes or other manufactured articles. Many producers consider it as a nuisance and are willing to sell all of it at a nuisance price in order to avoid the trouble and expense of disposing of it by dumping or burning. Some other producers will incur the expense of bagging or baling their sole leather scrap, keeping it free from other waste materials, and storing it out of the weather in order to obtain the slightly higher prices that the leatherboard manufacturers and shredders pay for such scrap.

The best available information indicates that the total annual value of all scrap leather produced is less than one and a half million dollars. This compares with a total annual sales volume of the shoe manufacturing, tanning and leather cutting industries of over three billion dollars.

Nearly all of the upper leather scrap and a large proportion of the sole leather scrap goes into tankage, a component of some fertilizers. The annual value of the fertilizer produced in the United States is about $500,000,000, thus the scrap leather component of the tankage amounts to less than one-half percent of this total.

Even though there is a demand for the scrap leather, the products made from it are highly competitive with products made from other materials. Aside from the insignificance of the scrap leather in the economy, it is apparent that because of the competitive brake on the prices of the end products there cannot be a runaway price rise in this scrap leather as a result of competitive bidding for the supply of it by the consumers.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

General Overriding Regulation 4, Revision 1, as amended, is further amended in the following respects:

1. Section 2 is amended by adding the following paragraph:

(i) Scrap leather not suitable for producing cut parts.

2. Section 3 is amended by deleting from paragraph (j) the words "scrap leather not suitable for producing cut parts", so that paragraph (j) reads as follows:

(j) Imported and domestic leather, including finished or unfinished splits and leather cut stock, except sales in the territories and possessions of the United States, and sales at retail.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 7, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

AUGUST 7, 1952.

[F. R. Doc. 52-8881; Filed, Aug. 7, 1952; 4:34 p. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 67 to Schedule A]

[Rent Regulation 2, Amdt. 65 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

SOUTH CAROLINA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective August 9, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the item(s) of Schedule A read(s) as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 6th day of August 1952.

ED DUPREE,
Acting Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
South Carolina				
(280b) Orangeburg.....	A	Bamberg County; and Orangeburg County, except the Townships of Elloree, Eutaw, Holly Hill, Providence, and Vance.	Jan. 1, 1952	Aug. 11, 1952

[F. R. Doc. 52-8796; Filed, Aug. 8, 1952; 8:50 a. m.]

[Rent Regulation 3, Amdt. 75 to Schedule A]

[Rent Regulation 4, Amdt. 19 to Schedule A]

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

SOUTH CAROLINA

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective August 9, 1952, Rent Regulation 3 and Rent Regulation 4 are amended so that the item(s) of Schedule A read(s) as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 6th day of August 1952.

ED DUPREE,
Acting Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(280b) Orangeburg...	South Carolina...	Bamberg County; and Orangeburg County, except the Townships of Elloree, Eutaw, Holly Hill, Providence, and Vance.	Jan. 1, 1952	Aug. 11, 1952

[F. R. Doc. 52-8795; Filed, Aug. 8, 1952; 8:50 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

MISCELLANEOUS AMENDMENTS

a. In § 127.10 *Small packets* make the following changes:

1. Amend paragraph (e) by inserting "Rhodesia, Northern" and "Rhodesia, Southern" in alphabetical order in the list of countries therein.

2. Amend paragraph (f) by deleting "Rhodesia, Northern" and "Rhodesia, Southern" from the list of countries therein.

b. In § 127.213 *Barbados* make the following changes:

1. Amend paragraph (a) (5) to read as follows:

(5) *Air mail service.* Postage rates: Letters, letter packages and post cards, 10 cents per half ounce. Air letter sheets, 10 cents each. Other regular-mail articles, 38 cents for the first 2 ounces and 17 cents for each additional 2 ounces. (See § 127.20.)

2. In subdivision (i) of paragraph (b) (1) *Table of rates* make the following changes:

a. Insert immediately following the table of surface parcel rates and preceding the tabulation of information thereunder, the following subdivision:

(ii) Air parcel rates: $0.65 for first 4 ounces; $0.35 for each additional 4 ounces or fraction.

b. Amend the tabulated information now following new subdivision (ii) by adding the following information:

Weight of air parcels limited to 22 pounds. Each air parcel must have affixed the blue Par Avion label (Form 2978). (See § 127.55 (b).)

c. In § 127.258 *French settlements in India* amend paragraph (b) (1) *Table of rates* as follows:

1. Insert a new subdivision (ii) immediately following the table of surface parcel rates and preceding the tabulated information in subdivision (i) to read as follows:

(ii) Air parcel rates: $1.75 for first 4 ounces; $0.90 for each additional 4 ounces or fraction.

2. Amend the tabulated information now following new subdivision (ii) by adding the following information:

Weight of air parcels limited to 22 pounds. Each air parcel must have affixed the blue Par Avion label (Form 2978). (See § 127.55 (b).)

d. In § 127.338 *Rhodesia, Northern* amend paragraph (a) (1) to read as follows:

(1) *Classifications, rates, weight limits and dimensions.* See Table No. 1, § 127.1. Small packets accepted.

e. In § 127.339 *Rhodesia, Southern* amend paragraph (a) (1) to read as follows:

(1) *Classifications, rates, weight limits and dimensions.* See Table No. 1, § 127.1. Small packets accepted.

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON, *Postmaster General.*

[F. R. Doc. 52-8784; Filed, Aug. 8, 1952; 8:48 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

MISCELLANEOUS AMENDMENTS

a. In § 127.229 *Ceylon* amend paragraph (a) (4) *Air mail service* (17 F. R. 6595) by adding the following sentence: "Air-letter sheets, 10 cents each."

b. In § 127.258 *French settlements in India (Chandermagore, Karikal, Mahe, Pondichery and Yanaon)* amend paragraph (a) (5) *Air mail service* (17 F. R. 6595) by adding the following sentence: "Air-letter sheets, 10 cents each."

c. In § 127.298 *Madeira Islands* amend paragraph (a) (5) *Air mail service* (17 F. R. 6595) by adding the following sentence: "Air-letter sheets, 10 cents each."

d. In § 127.306 *Morocco (French)* amend paragraph (a) (5) *Air mail service* (17 F. R. 6595) by adding the following sentence: "Air-letter sheets, 10 cents each."

e. In § 127.333 *Portuguese East Africa (Mozambique)* amend paragraph (a) (5) *Air mail service* (17 F. R. 6595) by adding the following sentence: "Air-letter sheets, 10 cents each."

f. In § 127.334 *Portuguese India* amend paragraph (a) (5) *Air mail service* (17 F. R. 6595) by adding the following sentence: "Air-letter sheets, 10 cents each."

g. In § 127.336 *Portuguese West Africa (Angola, Guinea, St. Thomas Island, and Prince's Island)* amend paragraph (a) (5) *Air mail service* (17 F. R. 6595) by adding the following sentence: "Air-letter sheets, 10 cents each."

h. In § 127.348 *Saudi Arabia (Kingdom of)* amend paragraph (a) (5) *Air mail service* (17 F. R. 6595) by adding the following sentence: "Air-letter sheets, 10 cents each."

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON, *Postmaster General.*

[F. R. Doc. 52-8785; Filed, Aug. 8, 1952; 8:48 a.m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

MISCELLANEOUS AMENDMENTS

a. In § 127.307 *Morocco (Spanish Zone, including the Spanish Post Office in the International Zone of Tangier)* make the following changes:

1. Amend paragraph (a) (5) to read as follows:

(5) *Air mail service.* Postage rates: Letters, letter packages and post cards, 15 cents per half ounce. Air-letter sheets, 10 cents each. Other regular-mail articles, 45 cents for the first 2 ounces and 25 cents for each additional 2 ounces. (See § 127.20.)

2. Amend paragraph (b) (1) *Table of rates* by adding a new subdivision (ii) immediately after the table of surface parcel rates and before the tabulated information thereunder, to read as follows:

(ii) Air parcel rates: $1.25 for the first 4 ounces, and $0.50 for each additional 4 ounces or fraction.

3. In the tabulated information now following new paragraph (b) (1) (ii) make the following changes:

a. Strike out "Weight limit: 44 pounds." and insert in lieu thereof "Weight limit: [1] 11, 44 pounds."

b. Add a footnote below the table to read:

[1] Air parcels are limited to 11 pounds in weight.

b. In § 127.305 *Morocco, Tangier (International Zone)* amend paragraph (a) (5) to read as follows:

(5) *Air mail service.* Postage rates: Letters, letter packages and post cards, 15 cents per half ounce. Air-letter sheets, 10 cents each. Other regular-mail articles, 45 cents for the first 2 ounces and 25 cents for each additional 2 ounces. (See § 127.20).

c. In § 127.356 *Spain (including Balearic Islands, Canary Islands, and the Spanish Offices in Northern Africa: Ceuta, Melilla, Alhucemas, Chaferinas or Zafarani Islands, and Penon de Velez de la Gomera; also Andorra)* make the following changes:

1. Amend paragraph (a) (5) to read as follows:

(5) *Air mail service.* Postage rates: Letters, letter packages and post cards, 15 cents per half ounce. Air-letter sheets, 10 cents each. Other regular-mail articles, 45 cents for the first 2 ounces and 25 cents for each additional 2 ounces. (See § 127.20).

2. Amend subdivision (ii) of paragraph (b) (1) *Table of rates* to read as follows:

(ii) Air parcel rates: $1.25 for first 4 ounces, and $0.50 for each additional 4 ounces or fraction. Each air parcel and the relative dispatch note must have affixed the blue Par Avion label (Form 2978). (See § 127.55 (b) of Subpart B.)

d. In § 127.348 *Saudi Arabia (Kingdom of)* make the following changes:

1. Amend the table of rates in subdivision (ii) of paragraph (b) (1) *Table of rates* to read:

Rates: $1.60 for first 4 ounces; $0.80 for each additional 4 ounces or fraction.

2. Amend paragraph (b) (4) to read as follows:

(4) *Observations.* Parcel post service (surface and air) extends to the following places only:

Al Gaba.	Khobar.
Al Lith.	Mecca.
Al Wejh.	Medina.
Daha.	Qunfidha.
Dammam.	Rabigh.
Dhahran.	Rastanurra.
Hassa.	Riyadh.
Jiddah.	Umm Lej.
Jizam.	Yenbo.
Katif.	

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON, *Postmaster General.*

[F. R. Doc. 52-8786; Filed, Aug. 8, 1952; 8:49 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Docket No. 3666; Order 6]

PARTS 71–78 EXPLOSIVES AND OTHER DANGEROUS ARTICLES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of July, 1952.

It appearing, that pursuant to the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444), sections 831–835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing, that in application received we are asked to amend the aforesaid regulations as set forth in provisions made a part thereof.

It is ordered, That the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

PART 71—GENERAL INFORMATION AND REGULATIONS

Amend § 71.12 paragraph (b) (15 F. R. 8262, Dec. 2, 1950) (49 CFR 71.12, 1950 Rev.) to read as follows:

§ 71.12 *Export shipments by domestic carriers by rail and motor vehicles.* * * *

(b) Except for the requirements of §§ 77.817 and 77.823 of this chapter, the provisions of Parts 71–78 of this chapter do not apply to such transportation by motor vehicle or water as may be necessary to effect transfer of export shipments from place of shipment to other places within the same port area or delivery to a water carrier within the same port area (including contiguous harbors). Further transportation of such export shipments by connecting water carrier shall be subject to the regulations prescribed by the Commandant of the Coast Guard.

PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71–78 OF THIS CHAPTER

Amend § 72.5 (15 F. R. 8263, 8265, 8266, 8267, 8268, 8269, 8270, 8271, 8272, 8273, Dec. 2, 1950) (16 F. R. 11775, Nov. 21, 1951) (49 CFR 1950 Rev., 1951 Supp., 72.5) as follows:

§ 72.5 *List explosives and other dangerous articles.* (a) * * *

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
Change				
Dimethylamine, anhydrous	F. G	73.302, 73.306, 73.314, 73.315.	Red Gas	300 pounds.
Grenades, hand or rifle, with gas, smoke or incendiary material but without bursting charges.	See §§ 73.88 (d), 73.330, 73.350.			
Magnesium scrap (borings, chunks clippings, shavings, sheets or turnings),	F. S	73.153, 73.220	Yellow	100 pounds.
Monomethylamine, anhydrous	F. G	73.302, 73.306, 73.314, 73.315.	Red Gas	300 pounds.
Perchloro-methyl-mercaptan	Pois. B	73.345, 73.360	Poison	10 pounds.
Trimethylamine, anhydrous	F. G	73.302, 73.306, 73.314, 73.315.	Red Gas	300 pounds.
Add				
Aldrin	Pois. B	73.376	Poison	200 pounds.
Aldrin mixture, liquid	Pois. B	73.361	Poison	55 gallons.
Aldrin mixture, dry, with more than 15 percent aldrin.	Pois. B	73.376	Poison	200 pounds.
Carbon, activated. See Charcoal, activated.				
Chlorate and magnesium chloride mixture	Oxy. M	73.153, 73.229	Yellow	100 pounds.
Cyclotrimethylenetrinitramine, desensitized. See High explosives.				
Cyclotrimethylenetrinitramine, wet with not less than 10 percent of water. See High explosives.				
Illuminating projectiles fuzed or not fuzed, with expelling charges. See Special fireworks.				
Isopropyl percarbonate, stabilized	Cor. L	No exemption, 73.282.	White	Not accepted.
Isopropyl percarbonate, unstabilized	F. S	No exemption, 73.218.	Yellow	Not accepted.
Pressurized flammable liquid, n. o. s.	F. L	No exemption, 73.142.	Red	10 gallons.
Projectiles, illuminating, incendiary or smoke with expelling charge but without bursting charge. See Special fireworks.				
Smoke projectiles with bursting charges. See Explosive projectile.				
Smoke projectiles with expelling charge but without bursting charge. See Special fireworks.				
Cancel				
Carbopropoxide, stabilized	Cor. L	No exemption, 73.282.	White	Not accepted.
Carbopropoxide, unstabilized	F. S	No exemption, 73.218.	Yellow	Not accepted.
Illuminating projectiles fuzed and with expelling charges. See Explosive projectiles.				
Illuminating projectiles not fuzed and without expelling charges. See Special fireworks.				
Projectiles, illuminating, incendiary or smoke. See § 73.56 and Special fireworks.				

PART 73—SHIPPERS

Amend § 73.9 paragraph (a) (15 F. R. 8276, Dec. 2, 1950) (49 CFR 73.9, 1950 Rev.) to read as follows:

§ 73.9 *Import and export shipments.* (a) Import shipments of explosives and other dangerous articles offered in the United States in original packages for transportation by carriers by rail freight, rail express, motor vehicle, or water must comply with all requirements of the regulations in Parts 71–78 of this chapter. The importer must furnish with the order to the foreign shipper, and also to the forwarding agent at the port of entry, full and complete information as to the packing, marking, labeling, and other requirements, as prescribed in Parts 71–78 of this chapter. The forwarding agent must file with the initial carrier in the United States a properly certified shipping order or other shipping paper as prescribed in this part. Except for the requirements of §§ 77.817 and 77.823 of this chapter, the provisions of Parts 71–78 of this chapter do not apply to such transportation by motor vehicle or water as may be necessary to effect transfer of import shipments from place of discharge to other places within the same port area or delivery to a water carrier within the same port area (including contiguous harbors). Further transportation of such import shipments by connecting water carrier shall be subject to the regulations prescribed by the Commandant of the Coast Guard.

* * * * *

SUBPART A—PREPARATION OF ARTICLES FOR TRANSPORTATION BY CARRIERS BY RAIL FREIGHT, RAIL EXPRESS, HIGHWAY, OR WATER

1. Amend § 73.33 paragraph (o) (15 F. R. 8282, Dec. 2, 1950) (49 CFR 73.33, 1950 Rev.) to read as follows:

§ 73.33 *Qualification, maintenance, and use of cargo tanks.* * * *

(o) Each outlet of cargo tanks used for the transportation of liquefied compressed gases, except carbon dioxide, shall be provided with an approved suitable automatic excess-flow valve or in lieu thereof may be fitted with an approved automatic quick-closing internal valve. These valves shall be located inside the tank or at a point outside the tank where the line enters or leaves the tank. The valve seat shall be located inside the tank or shall be located within a welded flange or its companion flange, or within a nozzle, or within a coupling. The installation shall be made in such a manner as reasonably to assure that any undue strain which causes failure requiring functioning of the valve shall cause failure in such a manner that it will not impair the operation of the valve.

(Exception remains unchanged.)

(Subparagraphs (1) and (2) remain unchanged.)

(3) Filling and discharge lines shall be provided with manually operated shut-off valves located as close to the tank as is practicable, except where an automatic quick-closing internal valve is used, in which case the manually operated shut-off valve may be located anywhere in the line ahead of the hose connection. The use of so-called "Stop-Check" valves to satisfy with one valve the requirements of this rule and of paragraph (o) of this section is forbidden.

* * * * *

2. Amend § 73.34 Exception (k) (10) (15 F. R. 8284, Dec. 2, 1950) (49 CFR 73.34, 1950 Rev.) to read as follows:

§ 73.34 *Qualification, maintenance, and use of cylinders.* * * *

(k) * * *

(10) ICC–9 cylinders must be tested in accordance with the requirements of §§ 78.63–13 (a) and 78.63–17 (a) (2) of this chapter.

* * * * *

SUBPART B—EXPLOSIVES; DEFINITIONS AND PREPARATION

1. Amend § 73.65 paragraphs (b) and (e) (15 F. R. 8289, Dec. 2, 1950) (49 CFR 73.65, 1950 Rev.) to read as follows:

§ 73.65 *High explosives with no liquid explosive ingredient nor any chlorate.* * * *

(b) Ammonium picrate, nitroguanidine, nitrourea, urea nitrate, picric acid, tetryl, trinitroresorcinol, trinitrotoluene, pentolite and cyclotrimethylenetrinitramine (desensitized), in dry condition, in addition to containers prescribed in paragraph (a) (1) to (5) of this section, may be shipped in containers complying with the following specifications:

(No change in subparagraphs (1) and (2).)

* * * * *

(e) Ammonium picrate, picric acid, urea nitrate, trinitrobenzene, trinitroresorcinol, trinitrotoluene and cyclotrimethylenetrinitramine when wet with not less than 10 pounds of water to each 90 pounds of dry material must be shipped in containers complying with the following specifications:

(1) Spec. 10B (§ 78.156 of this chapter). Wooden barrels or kegs. Not over 50 gallons nominal capacity.

(2) (See § 73.192 for shipments of wet ammonium picrate, wet picric acid and wet urea nitrate not in excess of 16 ounces and § 73.193 for shipment of wet picric acid and wet urea nitrate not in excess of 25 pounds.) (See § 73.212 for shipments of wet trinitrobenzene and wet trinitrotoluene not in excess of 16 ounces.)

(3) Spec. 21A or 21B (§§ 78.222 or 78.223 of this chapter.) Fiber drums. Authorized only for cyclotrimethylenetrinitramine wet with not less than 10 pounds of water to each 90 pounds of dry material in inside containers which must be bags made of at least 10-ounce cotton duck, rubber or rubberized cloth and securely closed. The dry weight of cyclotrimethylenetrinitramine in one container must not exceed 200 pounds. These bags containing the cyclotrimethylenetrinitramine must then be placed in a rubber bag, rubberized cloth bag or bag made of suitable watertight material which must be securely closed and then placed in the fiber drum. If shipment of cyclotrimethylenetrinitramine is to take place at a time freezing weather is to be anticipated, it must be wet with a mixture of denatured ethyl alcohol and water of such proportions that freezing will not occur in transit.

* * * * *

2. Amend § 73.69 paragraph (c) (15 F. R. 8291, Dec. 2, 1950) (49 CFR 73.69, 1950 Rev.) to read as follows:

§ 73.69 *Detonating fuzes, boosters, or other detonating fuze parts containing an explosive.* * * *

(c) Each outside package must be plainly marked "DETONATING FUZES — HANDLE CAREFULLY — DO NOT STORE OR LOAD WITH ANY HIGH EXPLOSIVE" or "BOOSTERS (EXPLOSIVE)—HANDLE CAREFULLY."

* * * * *

3. Amend § 73.88 paragraph (d) (15 F. R. 8293, Dec. 2, 1950) (49 CFR 73.88, 1950 Rev.) to read as follows:

§ 73.88 *Definition of class B explosives.* * * *

(d) Special fireworks are manufactured articles designed primarily for the purpose of producing visible or audible pyrotechnic effects by combustion or explosion. (See § 73.100 (r) for common fireworks.) Examples are toy torpedoes, railway torpedoes, some firecrackers and salutes, exhibition display pieces, aeroplane flares, illuminating projectiles, incendiary projectiles and smoke projectiles fuzed or unfuzed and containing expelling charges but without bursting charges, hand or rifle grenades with ignition elements but not containing bursting charges, flash powders in inner units not exceeding 2 ounces each, flash sheets in interior packages, flash powder or spreader cartridges containing not over 72 grains of flash powder each (see § 73.60 for shipments made as low explosives), and flash cartridges, consisting of a paper cartridge shell, small-arms primer, and flash composition, not exceeding 180 grains all assembled in one piece. Fireworks must be in a finished state, exclusive of mere ornamentation, as supplied to the retail trade and must be so constructed and packed that loose pyrotechnic composition will not be present in packages in transportation.

* * * * *

4. Amend § 73.100 paragraph (e) (15 F. R. 8295, Dec. 2, 1950) (49 CFR 73.100, 1950 Rev.) to read as follows:

§ 73.100 *Definition of class C explosives.* * * *

(e) Percussion fuzes, combination fuzes, and time fuzes are devices designed to ignite powder charges of ammunition or to initiate an intermediate charge (booster) in projectiles, bombs, etc. When such fuzes are assembled with booster charges they are properly described as "detonating fuzes" (see § 73.53 (g) (2)).

* * * * *

SUBPART C—FLAMMABLE LIQUIDS; DEFINITION AND PREPARATION

1. Add paragraph (b) to § 73.115 (15 F. R. 8297, Dec. 2, 1950) (49 CFR 73.115, 1950 Rev.) to read as follows:

§ 73.115 *Flammable liquids; definition.* * * *

(b) A pressurized flammable liquid for the purpose of Parts 71–78 of this chapter is any mixture other than a compressed gas in which the gas is used as an expellant, if any one of the following occurs:

(1) Using the Bureau of Explosives' Flame Projection Apparatus (see Note 1), the flame projects more than 18 inches beyond the ignition source with valve opened fully, or, the flame flashes back and burns at the valve with any degree of valve opening.

(2) Using the Bureau of Explosives' Open Drum Apparatus (see Note 1), there is any significant propagation of flame away from the ignition source.

(3) Using the Bureau of Explosives' Closed Drum Apparatus (see Note 1), there is any explosion of the vapor-air mixture in the drum.

NOTE 1. A description of the Bureau of Explosives' Flame Projection Apparatus, Open Drum Apparatus, Closed Drum Apparatus, and method of tests may be procured from the Bureau of Explosives, 30 Vesey Street, New York 7, New York.

2. Add paragraph (c) (22) to § 73.118 (15 F. R. 8298, Dec. 2, 1950) (49 CFR 73.118, 1950 Rev.) to read as follows:

§ 73.118 *Exemptions for flammable liquids.* * * *

(c) * * *

(22) Pressurized flammable liquids.

3. Amend § 73.119 paragraph (a) (12) (16 F. R. 5323, June 6, 1951) (49 CFR 1950 Rev., 1951 Supp., 73.119) to read as follows:

§ 73.119 *Flammable liquids not specifically provided for.* (a) * * *

(12) Spec. 103, 103W, 103AL–W, 104, 104W, 104A, 104A–W, 104A–AL–W,

105A300, 105A300W, 105A400, 105A400W, 105A500, 105A500W, 105A600, 105A600W, ARA–II,[3] ARA–III,[3] ARA–IV,[3] or ARA–IV–A[3] (§§ 78.265, 78.280, 78.291, 78.269, 78.284, 78.270, 78.285, 78.294, 78.271, 78.286, 78.272, 78.287, 78.273, 78.288, 78.274 or 78.289 of this chapter). Tank cars: For cars equipped with expansion domes, manhole closures must be so designed that pressure will be released automatically by starting the operation of removing the manhole cover. (See § 73.432 for shipping instructions.)

* * * * *

4. Add paragraph (a) (3) to § 73.127 (15 F. R. 8301, Dec. 2, 1950) (49 CFR 73.127, 1950 Rev.) to read as follows:

§ 73.127 *Nitrocellulose or collodion cotton, fibrous, or nitrostarch, wet; colloided nitrocellulose, granular or flake, and lacquer base or lacquer chips, wet.* (a) * * *

(3) Spec. 42F (§ 78.110 of this chapter). Aluminum barrels or drums. Authorized only for nitrocellulose or collodion cotton, fibrous, wet, or colloided nitrocellulose, granular or flake, wet.

* * * * *

5. Add § 73.142 (15 F. R. 8302, Dec. 2, 1950) (49 CFR 73.142, 1950 Rev.) to read as follows:

§ 73.142 *Pressurized flammable liquids.* (a) Pressurized flammable liquids must be packed in specification containers as follows:

(1) Cylinders as prescribed for any compressed gas except acetylene.

(2) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, or 78.190 of this chapter). Wooden boxes with inside metal containers not over 30 cubic inches (16.6 fluid ounces) capacity each. Inside metal containers charged as for shipment must be capable of having contents heated to 130° F. without leakage or permanent distortion of the container.

(3) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside metal containers not over 30 cubic inches (16.6 fluid ounces) capacity each. Inside metal containers charged as for shipment must be capable of having contents heated to 130° F. without leakage or permanent distortion of the container.

SUBPART D—FLAMMABLE SOLIDS AND OXIDIZING MATERIALS; DEFINITION AND PREPARATION

1. Amend § 73.153 paragraph (c) (8) (15 F. R. 8303, Dec. 2, 1950) (49 CFR 73.153, 1950 Rev.) to read as follows:

§ 73.153 *Exemptions for flammable solids and oxidizing materials.* * * *

(c) * * *

(8) Isopropyl percarbonate, unstabilized.

* * * * *

2. Amend § 73.158 paragraph (a) (1) (15 F. R. 8304, Dec. 2, 1950) (49 CFR 73.158, 1950 Rev.) to read as follows:

§ 73.158 *Benzoyl peroxide, dry, lauroyl peroxide, dry, chlorobenzoyl peroxide (para), dry, or succinic acid peroxide, dry.* (a) * * *

(1) Spec. 15A or 15B (§§ 78.168 or 78.169 of this chapter). Wooden boxes, with inside fiber containers securely closed by taping or gluing, not over 1 pound capacity each. Each inside container surrounded by asbestos or fire-resisting cushioning material which will protect contents with equal efficiency; net weight in outside container must not exceed 50 pounds, except that for lauroyl peroxide, dry, net weight not over 100 pounds is authorized.

* * * * *

3. Amend § 73.162 paragraph (a) (1) (15 F. R. 8304, Dec. 2, 1950) (49 CFR 73.162, 1950 Rev.) to read as follows:

§ 73.162 *Charcoal.* (a) * * *

(1) Charcoal, activated or carbon, activated.

* * * * *

4. Add paragraph (a) (6) to § 73.184 (15 F. R. 8308, Dec. 2, 1950) (49 CFR 73.184, 1950 Rev.) to read as follows:

§ 73.184 *Nitrocellulose or collodion cotton, wet, or nitrocellulose, colloided, granular, or flake, wet, or nitrostarch, wet, or nitroguanidine, wet.* (a) * * *

(6) Spec. 42F (§ 78.110 of this chapter). Aluminum barrels or drums. Authorized only for nitrocellulose or collodion cotton, wet, or nitrocellulose, colloided, granular or flake, wet.

* * * * *

5. Amend § 73.193 paragraph (a) (1) (15 F. R. 8309, Dec. 2, 1950) (49 CFR 73.193, 1950 Rev.) to read as follows:

§ 73.193 *Picric acid or urea nitrate, wet.* (a) * * *

(1) Spec. 15A (§ 78.168 of this chapter). Wooden box with inside containers of tightly closed glass or earthenware, cushioned, in outside container. The net weight in an outside package must not exceed 25 pounds dry weight. (See § 73.65 (e) for shipment of wet picric acid and wet urea nitrate in excess of 25 pounds, and § 73.192 for exemption up to 16 ounces.)

6. Amend entire § 73.218 (15 F. R. 8311, Dec. 2, 1950) (49 CFR 73.218, 1950 Rev.) to read as follows:

§ 73.218 *Isopropyl percarbonate, unstabilized.* (a) Isopropyl percarbonate, unstabilized, must be packed in specification containers as follows:

(1) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, or 78.190 of this chapter). Wooden boxes with glass or earthenware inside containers of not over 2 gallons capacity each which must be maintained at a temperature below 0° F. Shipments are authorized for transportation by carrier by motor vehicle only.

7. Amend entire § 73.220 (15 F. R. 8311, Dec. 2, 1950) (49 CFR 73.220, 1950 Rev.) to read as follows:

§ 73.220 *Magnesium scrap (borings, chunks, clippings, shavings, sheets, or turnings).* (a) Magnesium scrap consisting of borings, shavings, or turnings, when shipped in carloads or truckloads, must be packed in tightly and securely closed metal barrels, wooden barrels, metal pails, or four-ply paper bags. In less-than-carload or less-than-truckload quantities it must be packed in tightly and securely closed metal drums, metal pails, or wooden barrels.

(b) Magnesium scrap consisting of chunks, clippings, or sheets may be shipped in bulk in carload or truckload quantities. Cars must be tight boxcars or tightly closed steel or wood covered gondola cars and trucks or trailers must have closed or completely covered bodies.

(c) Magnesium scrap consisting of chunks, clippings, or sheets in tightly and securely closed metal drums, wooden barrels, or wooden boxes is exempt from specification packaging, marking, or labeling requirements.

8. Amend § 73.229 heading and introductory text of paragraph (a), and paragraph (c) (15 F. R. 8312, Dec. 2, 1950) (49 CFR 73.229, 1950 Rev.) to read as follows:

§ 73.229 *Chlorate and borate mixtures and chlorate and magnesium chloride mixtures.* (a) Chlorate and borate mixtures and chlorate and magnesium chloride mixtures when containing no other ingredient must be packed as follows:

* * * * *

(c) Chlorate and borate mixtures and chlorate and magnesium chloride mixtures containing no other ingredient and containing less than 50 percent chlorate, packed in strong tight metal or fiber drums or in wooden boxes with tight inside metal containers are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight or highway.

SUBPART E—ACIDS AND OTHER CORROSIVE LIQUIDS; DEFINITION AND PREPARATION

1. Amend § 73.244 paragraph (c) (13) (15 F. R. 8313, Dec. 2, 1950) (49 CFR 73.244, 1950 Rev.) to read as follows:

§ 73.244 *Exemptions for acids and other corrosive liquids.* * * *

(c) * * *

(13) Isopropyl percarbonate, stabilized.

* * * * *

2. Add paragraph (a) (11) to § 73.245 (15 F. R. 8313, Dec. 2, 1950) (49 CFR 73.245, 1950 Rev.) to read as follows:

§ 73.245 *Acids or other corrosive liquids not specifically provided for.* (a) * * *

(11) Spec. 43A (§ 78.18 of this chapter). Rubber drums.

3. Amend § 73.262 paragraph (a) (1) (16 F. R. 11778, Nov. 21, 1951) (49 CFR 1950 Rev., 1951 Supp., 73.262) to read as follows:

§ 73.262 *Hydrobromic acid.* (a) * * *

(1) Spec. 1A, 1C, 1D, or 1E (§§ 78.1, 78.3, 78.4, or 78.7 of this chapter). Carboys in boxes, kegs or plywood drums.

* * * * *

4. Add paragraph (a) (16) to § 73.264 (15 F. R. 8317, Dec. 2, 1950) (49 CFR 73.264, 1950 Rev.) to read as follows:

§ 73.264 *Hydrofluoric acid.* (a) * * *

(16) Spec. 1F (§ 78.10 of this chapter). Polyethylene carboys. Authorized for acid not over 60 percent strength.

* * * * *

5. Amend § 73.265 paragraph (a) (2) (15 F. R. 8318, Dec. 2, 1950) (49 CFR 73.265, 1950 Rev.) to read as follows:

§ 73.265 *Hydrofluosilicic acid.* (a) * * *

(2) Spec. 11A or 11B (§§ 78.160 or 78.161 of this chapter). Wooden barrels or kegs with inside containers of natural rubber or ceresine.

* * * * *

6. Add paragraph (a) (9) to § 73.271 (15 F. R. 8321, Dec. 2, 1950) (49 CFR 73.271, 1950 Rev.) to read as follows:

§ 73.271 *Phosphorus oxychloride, phosphorus trichloride, and thiophosphoryl chloride.* (a) * * *

(9) Spec. 103A or 103A-W (§§ 78.266 or 78.281 of this chapter). Tank cars. Authorized for phosphorus oxychloride only. Spec. 103A tanks must be of steel at least 10 percent nickel clad and Spec. 103A-W tanks must be of steel at least 20 percent nickel clad.

* * * * *

7. Amend § 73.282 Heading and introductory text of paragraph (a) (15 F. R. 8322, Dec. 2, 1950) (49 CFR 73.282, 1950 Rev.) to read as follows:

§ 73.282 *Isopropyl percarbonate, stabilized.* (a) Isopropyl percarbonate, stabilized, must be packed in specification containers as follows:

* * * * *

SUBPART F—COMPRESSED GASES; DEFINITION AND PREPARATION

1. Amend § 73.300 entire paragraph (b) (15 F. R. 8324, Dec. 2, 1950) (49 CFR 73.300, 1950 Rev.) to read as follows:

§ 73.300 *Compressed gases; definition.* * * *

(b) Any compressed gas as defined in paragraph (a) of this section shall be classified as a flammable compressed gas if any one of the following occurs:

(1) If either a mixture of 13 percent or less (by volume) with air forms a flammable mixture (Note 2) or the flammability range (Note 2) with air is greater than 12 percent regardless of the lower limit.

(2) Using the Bureau of Explosives' Flame Projection Apparatus (see Note 3), the flame projects more than 18 inches beyond the ignition source with valve opened fully, or, the flame flashes back and burns at the valve with any degree of valve opening.

(3) Using the Bureau of Explosives' Open Drum Apparatus (see Note 3), there is any significant propagation of flame away from the ignition source.

(4) Using the Bureau of Explosives' Closed Drum Apparatus (see Note 3), there is any explosion of the vapor-air mixture in the drum.

NOTE 1. American Society for Testing Materials Method of Test for Vapor-Pressure of Petroleum Products (D-323).

NOTE 2. These limits shall be determined at atmospheric temperature and pressure. The method of sampling and the test procedure shall be acceptable to the Bureau of Explosives. The flammability range is defined as the difference between the minimum and maximum percentage by volume of the material in mixture with air that forms a flammable mixture.

NOTE 3. A description of the Bureau of Explosives' Flame Projection Apparatus, Open Drum Apparatus, Closed Drum Apparatus, and method of tests may be procured from the Bureau of Explosives, 30 Vesey Street, New York 7, New York.

2. Amend the entry "Anhydrous ammonia" in paragraph (a) Table, § 73.308 fied gas" in paragraph (a) Table, § 73.308 and cancel Note 9 (16 F. R. 9376, Sept. 15, 1951) (15 F. R. 8327, Dec. 2, 1950) (49 CFR 1950 Rev., 1951 Supp., 73.308) to read as follows:

§ 73.308 *Compressed gases in cylinders.* (a) * * *

Kind of gas	Maximum permitted filling density (see Note 12) (percent)	Cylinders (see Note 11) marked as shown in this column must be used except as provided in Note 1 and § 73.34 (a) to (e)
Anhydrous ammonia	54	ICC-4; ICC-3A480; ICC-3AA480; ICC-3A480X; ICC-4A480; ICC-3.

* * * * * * *

3. Amend § 73.315 paragraph (a) (1) Table and add Note 7 (15 F. R. 8330, Dec. 2, 1950) (49 CFR 73.315, 1950 Rev.) to read as follows:

§ 73.315 *Compressed gases in cargo tanks and portable tank containers.* (a) * * *

(1) * * *

Kind of gas	Maximum permitted filling density		Specification container required	
	Percent by weight (see Note 1)	Percent by volume (see par. (f) of this section)	Type (see Note 2)	Minimum design working pressure (psig)
Anhydrous ammonia	56	82 see Note 5	ICC-51, MC-330	265.
Anhydrous dimethylamine	59	See Note 7	ICC-51, MC-330	150.
Anhydrous monomethylamine	69	See Note 7	ICC-51, MC-330	150.
Anhydrous trimethylamine	57	See Note 7	ICC-51, MC-330	150.
Carbon dioxide	See par. (c) of this section.	95	ICC-51, MC-330	200; see Note 3.
Liquefied petroleum gas	See par. (b) of this section.	See par. (b) of this section.	ICC-51, MC-330	See subpar. (b) (1) of this section.
Nitrous oxide	See par. (c) of this section.	95	ICC-51, MC-330	200; see Note 3.
Sulfur dioxide (tanks not over 1,200 gallons water capacity).	125	87.5	ICC-51, MC-330	150; see Note 4.
Sulfur dioxide (tanks over 1,200 gallons water capacity).	125	87.5	ICC-51, MC-330	125; see Note 4.
Sulfur dioxide (optional portable tank 1,000-2,000 pounds water capacity, fusible plug).	125	See Note 6	ICC-51	225.

* * * * * * *

NOTE 7: Tanks must be filled by weight.

* * * * *

SUBPART G—POISONOUS ARTICLES; DEFINITION AND PREPARATION

1. Amend § 73.353 paragraphs (a) (3), (a) (5) and (b) (17 F. R. 1562, Feb. 20, 1952) (16 F. R. 9378, Sept. 15, 1951) (49 CFR 1950 Rev., 1951 Supp., 73.353) to read as follows:

§ 73.353 *Methyl bromide.* (a) * * *

(3) Spec. 3A225, 3AA225, 3B225, 3E1800, 4A225, 4B225, or 4BA225 (§§ 78.36, 78.37, 78.38, 78.42, 78.49, 78.50, or 78.51 of this chapter). Metal cylinders of not over 125 pounds water capacity (nominal). Valves or other closing devices must be protected, to prevent injury in transit, by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness of less than 0.08 inch must be packed in boxes or crates (see § 73.25).

(No change in Note 1.)

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(5) Spec. 104A, 104A-W, 105A300, 105A300-W, 105A400, 105A400W, 105A500, 105A500W, 105A600, 105A600W, 106A500, 106A500X, or 106A800 (§§ 78.270, 78.285, 78.271, 78.286, 78.272, 78.287, 78.273, 78.288, 78.274, 78.289, 78.275, or 78.276 of this chapter). Tank cars.

(b) Outage must be sufficient to prevent tank car from becoming entirely filled with liquid at the following temperature: Spec. 104A, 104A-W, 105A300, 105A300W, 105A400, 105A400W, 105A500, 105A500W, 105A600, or 105A600W (§§ 78.270, 78.285, 78.271, 78.286, 78.272, 78.287, 78.273, 78.288, 78.274, or 78.289 of this chapter) at 105° F., spec. 106A500, 106A500X, or 106A800 (§§ 78.275 or 78.276 of this chapter) at 130° F.

* * * * *

2. Add § 73.360 (15 F. R. 8336, Dec. 2, 1950) (49 CFR 73.360, 1950 Rev.) to read as follows:

§ 73.360 *Perchloro-methyl-mercaptan.* (a) Perchloro-methyl-mercaptan in any quantity must not be packed with any other article. When offered for transportation by carriers by rail freight, highway, or water must be packed in specification containers as follows:

(1) Spec. 11A or 11B (§§ 78.160 or 78.161 of this chapter). Wooden barrels or kegs, with inside containers which must be glass bottles not over 2 quarts capacity each, individually enclosed in tightly closed metal cans and cushioned therein with incombustible material. Net weight not over 100 pounds in one outside container.

(2) Spec. 15A, 15B, 15C, or 16A (§§ 78.168, 78.169, 78.170, or 78.185 of this chapter). Wooden boxes, with inside containers which must be glass bottles not over 2 quarts capacity each, individually enclosed in tightly closed metal cans and cushioned therein with incombustible material. Net weight not over 100 pounds in one outside container.

(3) Spec. 5H (§ 78.87 of this chapter). Lead-lined metal barrels or drums not over 33 gallons each.

3. Add § 73.361 (15 F. R. 8336, Dec. 2, 1950) (49 CFR 73.361, 1950 Rev.) to read as follows:

§ 73.361 *Aldrin mixtures, liquid.* (a) Aldrin mixtures, liquid, must be shipped in specification containers as follows:

(1) As prescribed in § 73.346.

(2) Spec. 6A, 6B, or 6C (§§ 78.97, 78.98, or 78.99 of this chapter). Metal barrels or drums. Authorized only for viscous mixtures or those which may become partially solid.

(3) Spec. 17C or 17H (§§ 78.115 or 78.118 of this chapter). Metal drums (single-trip). Drums with opening exceeding 2.3 inches in diameter authorized only for viscous mixtures or those which may become partially solid.

4. Amend entire § 73.376 (15 F. R. 8338, Dec. 2, 1950) (49 CFR 73.376, 1950 Rev.) to read as follows:

§ 73.376 *Aldrin and aldrin mixtures, dry.* (a) Aldrin and aldrin mixtures, dry, must be packed in specification containers as follows:

(1) As prescribed in § 73.365.

(b) Dry mixtures containing not more than 20 percent aldrin and no other material classed as dangerous under these regulations must be packed in specification containers as follows:

(1) As prescribed in paragraph (a) (1) of this section.

(2) Spec. 36A or 36B (§§ 78.230 or 78.233 of this chapter). Triplex bags.

(3) Spec. 44B, 44C, or 44D (§§ 78.236, 78.237, or 78.238 of this chapter). Multiwall paper bags.

(c) Dry mixtures containing not more than 15 percent aldrin and no other material classed as dangerous under these regulations are exempt from specification packaging, marking, and labeling requirements.

SUBPART H—MARKING AND LABELING EXPLOSIVES AND OTHER DANGEROUS ARTICLES

1. Amend § 73.414 note to label in paragraph (a) (15 F. R. 8343, Dec. 2, 1950) (49 CFR 73.414, 1950 Rev.) to read as follows:

§ 73.414 *Radioactive materials labels.* (a) * * *

NOTE: This label must be duly executed by the shipper and the number of radiation units must be shown. For purposes of these regulations 1 unit equals 1 milliroentgen per hour at 1 meter for hard gamma radiation or the amount of radiation which has the same effect on film as 1 mrhm or hard gamma rays of radium filtered by ½ inch of lead.

* * * * *

PART 74—CARRIERS BY RAIL FREIGHT

SUBPART D—UNLOADING FROM CARS

Amend wording of the 15th line on "Dangerous—Empty" placard in paragraph (c) § 74.563 (15 F. R. 8353, Dec. 2, 1950) (49 CFR 74.563, 1950 Rev.) to read as follows:

§ 74.563 *"Dangerous—Empty" placard.* * * *

(c) * * *

having a handle at least 36 inches long.

* * * * *

PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

SUBPART A—GENERAL INFORMATION AND REGULATIONS

1. Amend § 77.803 paragraph (b) (15 F. R. 8362, Dec. 2, 1950) (49 CFR 77.803, 1950 Rev.) to read as follows:

§ 77.803 *Import shipments by domestic carriers by motor vehicle.* * * *

(b) Import shipments transferred in port areas by motor vehicle: Except for the requirements of §§ 77.817 and 77.823, the provisions of Parts 71–78 of this chapter do not apply to such transportation by motor vehicle as may be necessary to effect transfer of import shipments from place of discharge to other places within the same port area or delivery to a water carrier within the same port area (including contiguous harbors). Further transportation of such import shipments by connecting water carrier shall be subject to the regulations prescribed by the Commandant of the Coast Guard.

2. Amend § 77.804 paragraph (b) (15 F. R. 8362, Dec. 2, 1950) (49 CFR 77.804, 1950 Rev.) to read as follows:

§ 77.804 *Export shipments by domestic carriers by motor vehicle.* * * *

(b) Export shipments transferred in port areas by motor vehicle: Except for the requirements of §§ 77.817 and 77.823, the provisions of Parts 71–78 of this chapter do not apply to such transportation by motor vehicle as may be necessary to effect transfer of export shipments from place of shipment to other places within the same port area or delivery to a water carrier within the same port area (including contiguous harbors). Further transportation of such export shipments by connecting water carrier shall be subject to the regulations prescribed by the Commandant of the Coast Guard.

SUBPART B—LOADING AND UNLOADING

1. Amend § 77.835 paragraph (f) (15 F. R. 8365, Dec. 2, 1950) (49 CFR 77.835, 1950 Rev.) to read as follows:

§ 77.835 *Explosives.* * * *

(f) *Explosives vehicles, floors tight and lined.* Motor vehicles transporting class A or class B explosives shall have tight floors; shall have that portion of the interior in contact with the load lined with either non-metallic material or non-ferrous metals; and shall have the interior of the cargo space in good condition so that there will not be any likelihood of containers being damaged by exposed bolts, nuts, broken side panels or floor boards, or any similar projections.

* * * * *

PART 78—SHIPPING CONTAINER SPECIFICATIONS

SUBPART A—SPECIFICATIONS FOR CARBOYS, JUGS IN TUBS, AND RUBBER DRUMS

1. Add § 78.10 to § 78.10–6 (15 F. R. 8379, Dec. 2, 1950) (49 CFR 78.10–78.10–6, 1950 Rev.) to read as follows:

§ 78.10 *Specification 1F; polyethylene carboys in plywood drums.*

§ 78.10–1 *Compliance.* (a) Required in all details.

§ 78.10–2 *Capacity and marking of carboy.* (a) Containers 5 to 13 gallons capacity are classed as carboys. Actual capacity must be the marked capacity plus 5 percent minimum. Must be permanently marked to indicate capacity, maker, month and year of manufacture; mark of maker to be registered with the Bureau of Explosives.

§ 78.10–3 *Polyethylene carboys.* (a) Carboys shall be made of polyethylene with no plasticisers or additives and have a maximum melt index value of 2.5 grams per 10 minutes as determined in accordance with method acceptable to the Bureau of Explosives. Carboys must have a minimum weight and wall thickness in accordance with the following table:

Marked capacity	Minimum wall thickness	Minimum weight of bottles
Gallons	*Inch*	*Pounds*
6½	1/16	4
13	1/16	8

(b) Closing device shall be of material resistant to the lading and adequate to prevent leakage.

(c) Polyethylene carboys, as manufactured and filled to marked capacity with a material which remains in a liquid form, shall be capable of withstanding a 4-foot drop without leakage, after prior conditioning for 24 hours to at least —10° Fahr. or lower, onto solid concrete so as to strike diagonally on the bottom corner.

§ 78.10–4 *Outside containers.* (a) Plywood drums completely enclosing body of carboy or completely enclosing body and neck of carboy and constructed as follows:

(1) Lumber must be well seasoned, commercially dry, and free from decay, loose knots that interfere with nailing, and other defects that would materially lessen the strength. Plywood sections used in construction of this container shall be firmly glued together with waterproof glue. A section of plywood from any part when immersed in water at room temperature for 48 hours shall show no delamination or separation of plies to qualify glue as waterproof.

(2) Body shell must be of two 2-ply sections of good commercial box or sheathing grade hardwood veneer, each having a minimum thickness of 1/12 inch up to 6½ gallons and 1/11 inch up to 13 gallons, made up by telescoping one 2-ply shell with the outer shell. The body shall be butt-jointed and shall be fastened on the outside with a 28-gauge metal strip not less than 1½ inches in width and with staples of 17-gauge metal driven on each side of the outer joint and spaced not more than 1½ inches apart and clinched on inside of the outer body. The grain of outside ply should be parallel and grain of inner ply vertical to plane of the heads.

(3) Heads must be of at least three plies of good commercial box or sheathing grade hardwood veneer having a total minimum thickness of 3/8 inch up to 6½ gallons and 7/16 inch up to 13 gallons. The grain of alternate plies shall be at

right angles. Each head shall be circled to fit snugly within the body shell.

(4) Hoops must be of three plies of good commercial box or sheathing grade hardwood veneer having a minimum of 5/24 inch thickness by 2½ inches width up to 6½ gallons and 3/10 inch thickness by 3 inches width up to 13 gallons. The grain of alternate plies shall be at right angles. Hoops shall butt or slightly gap and shall be fastened to the body sections with staples of 17-gauge metal spaced on not less than 3-inch centers and clinched on inner surface.

(5) Head liners must be of hardwood veneer having a minimum of 1/5 inch thickness and 5/8 inch width up to 6½ gallons and ¼ inch thickness by ¾ inch width up to 13 gallons. The top head liners shall be fastened to body shell with staples of 17-gauge metal on not less than 3-inch centers and clinched on inner surface. The bottom head liners shall be fastened the same as top head liners, or by 14-gauge metal staples driven through the head liner and body into outer hoop on not less than 4-inch centers.

§ 78.10–5 *Marking of outside container.* (a) Each outside container must be plainly marked with letters and figures at least ¾ inch high applied by hot branding iron or dark colored printing ink with high pressure dies as follows:

(1) ICC–1F. This mark shall be understood to certify that the complete package complies with all specification requirements.

(2) Name or symbol (letters) of company setting up the package, or other party assuming responsibility for its compliance with the specification requirements; this must be registered with the Bureau of Explosives and located just above or below the mark specified in paragraph (a) (1) of this section.

§ 78.10–6 *Tests.* (a) Samples, taken at random and with inner container filled to marked capacity with water and closed as for use, shall be capable of withstanding prescribed tests without leakage. Tests shall be made of each size by each company starting production. The type tests are as follows:

(1) Compression test side to side against flat surfaces of at least 5,000 pounds without deflection of over 1 inch.

(2) One 4-foot drop onto solid concrete so as to strike diagonally on either chime.

SUBPART B—SPECIFICATIONS FOR INSIDE CONTAINERS, AND LININGS

Amend § 78.23–1 paragraph (a) Table (15 F. R. 8380, Dec. 2, 1950) (49 CFR 78.23–1, 1950 Rev.) to read as follows:

§ 78.23–1 *Construction.* (a) * * *

Maximum weight of contents (pounds)	Minimum [1] weight (per 500 sheets 24" x 36") and strength			
	One sheet		Other sheet	
	Weight [1] (pounds)	Strength, Mullen test	Weight [1] (pounds)	Strength, Mullen test
2	30	30	30	30
6	50	50	40	40
12	60	60	50	50
25	70	70	60	60

[1] Footnote remains the same.

SUBPART C—SPECIFICATIONS FOR CYLINDERS

1. Amend § 78.43 heading and § 78.43–2 paragraph (a) (15 F. R. 8396, 8397, Dec. 2, 1950) (49 CFR 78.43, 78.43–2, 1950 Rev.) to read as follows:

§ 78.43 *Specification 3A480X; seamless steel cylinders.*

* * * * *

§ 78.43–2 *Type, size, and service pressure*—(a) *Type and size.* Seamless, having not more than 278 pounds nominal water capacity.

* * * * *

SUBPART D—SPECIFICATIONS FOR METAL BARRELS, DRUMS, KEGS, CASES, TRUNKS AND BOXES

1. Amend § 78.80–2 paragraph (a) (15 F. R. 8432, Dec. 2, 1950) (49 CFR 78.80–2, 1950 Rev.) to read as follows:

§ 78.80–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.80–11 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

2. Amend § 78.81–2 paragraph (a) (15 F. R. 8433, Dec. 2, 1950) (49 CFR 78.81–2, 1950 Rev.) to read as follows:

§ 78.81–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.81–11 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity nor greater than rated capacity plus 2 percent plus 2 quarts.

3. Amend § 78.82–2 paragraph (a) (15 F. R. 8434, Dec. 2, 1950) (49 CFR 78.82–2, 1950 Rev.) to read as follows:

§ 78.82–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.82–11 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

4. Amend § 78.83–2 paragraph (a) and § 78.83–13 paragraph (a) (15 F. R. 8434, 8435 and 8436, Dec. 2, 1950) (49 CFR 78.83–2 and 78.83–13, 1950 Rev.) to read as follows:

§ 78.83–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.83–11 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

§ 78.83–13 *Type tests.* (a) Samples, taken at random and closed as for use, must be capable of withstanding prescribed tests without leakage. Tests to be made of each type and size by each company starting production and to be repeated every 4 months, except as provided in subparagraph (3) of this paragraph. Samples last tested to be retained until further tests are made. The type tests are as follows:

(1) Test by dropping, filled with water to 98 percent capacity, from height of 6 feet onto solid concrete so as to strike diagonally on chime, or when without chime seam, to strike on other circumferential seam; also additional drop test on any other parts which might be considered weaker than the chime. Closing devices and other parts projecting beyond chime or rolling hoops must also be capable of withstanding this test.

(2) Hydrostatic pressure test of 80 pounds per square inch sustained for 5 minutes.

(3) Periodic drop and hydrostatic tests are not required where container has satisfactorily met prescribed tests at the original start of production. Satisfactory test results must be obtained on samples of subsequent containers that have been altered in design or construction. Samples so tested must be retained.

5. Amend § 78.84–2 paragraph (a), § 78.84–13 paragraph (a) and § 78.84–14 paragraph (a) (15 F. R. 8436, Dec. 2, 1950) (49 CFR 78.84–2, 78.84–13 and 78.84–14, 1950 Rev.) to read as follows:

§ 78.84–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.84–11 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

§ 78.84–13 *Type tests.* (a) Sample containers, before lining is applied, taken at random and closed as for use, must be capable of withstanding prescribed tests without leakage. Tests to be made of each type and size by each company starting production and to be repeated every 4 months, except as provided in subparagraph (3) of this paragraph. Samples last tested to be retained until further tests are made. The type tests are as follows:

(1) Test by dropping, filled with water to 98 percent capacity, from height of 6 feet onto solid concrete so as to strike diagonally on chime, or when without chime seam, to strike on other circumferential seam; also additional drop test on any other parts which might be considered weaker than the chime. Closing devices and other parts projecting beyond chime or rolling hoops must also be capable of withstanding this test.

(2) Hydrostatic pressure test of 80 pounds per square inch sustained for 5 minutes.

(3) Periodic drop and hydrostatic tests are not required where container has satisfactorily met prescribed tests at the original start of production. Satisfactory test results must be obtained on samples of subsequent containers that have been altered in design or construction. Samples so tested must be retained.

§ 78.84–14 *Leakage test.* (a) Each container, with lining material applied, shall be tested, with seams under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representative of Bureau of Explosives. Leakers shall be rejected or repaired and retested. Removable head containers not required to be tested with heads in place except that samples taken at random and closed as for use, of each type and size, must be tested at start of production and repeated every 4 months. Samples so tested must be retained until further tests are made.

6. Amend § 78.86–2 paragraph (a) and § 78.86–13 paragraph (a) (15 F. R. 8437, 8438, Dec. 2, 1950) (49 CFR 78.86–2 and 78.86–13, 1950 Rev.) to read as follows:

§ 78.86–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.86–11 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

§ 78.86–13 *Type tests.* (a) Samples, taken at random and closed as for use, must be capable of withstanding prescribed tests without leakage. Tests to be made of each type and size by each company starting production and to be repeated every 4 months, except as provided in subparagraph (3) of this paragraph. Samples last tested to be retained until further tests are made. The type tests are as follows:

(1) Test by dropping, filled with water to 98 percent capacity, from height of 4 feet onto solid concrete so as to strike diagonally on chime, or when without chime seam, to strike on other circumferential seam; also additional drop test on any other parts which might be considered weaker than the chime. Closing devices and other parts projecting beyond chime or rolling hoops must also be capable of withstanding this test.

(2) Hydrostatic pressure test of 40 pounds per square inch sustained for 5 minutes.

(3) Periodic drop and hydrostatic tests are not required where container has satisfactorily met prescribed tests at the original start of production. Satisfactory test results must be obtained on samples of subsequent containers that have been altered in design or construction. Samples so tested must be retained.

7. Amend § 78.87–2 paragraph (a) (15 F. R. 8438, Dec. 2, 1950) (49 CFR 78.87–2, 1950 Rev.) to read as follows:

§ 78.87–2 *Rated capacity.* (a) Rated capacity is marked, see § 78.87–11 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

8. Amend § 78.88–2 paragraph (a) and § 78.88–12 paragraph (a) (15 F. R. 8439, Dec. 2, 1950) (49 CFR 78.88–2 and 78.88–12, 1950 Rev.) to read as follows:

§ 78.88–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.88–10 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

§ 78.88–12 *Type tests.* (a) Samples, taken at random and closed as for use, must be capable of withstanding prescribed tests without leakage. Tests to be made of each type and size by each company starting production and to be repeated every 12 months, except as provided in subparagraph (3) of this paragraph. Samples last tested to be retained until further tests are made. The type tests are as follows:

(1) Test by dropping, filled with water to 98 percent capacity, from height of 6 feet onto solid concrete so as to strike diagonally on chime, or when without chime seam, to strike on other circumferential seam; also additional drop test on any other parts which might be considered weaker than the chime. Closing devices and other parts projecting beyond chime or rolling hoops must also be capable of withstanding this test.

(2) Hydrostatic pressure test of 80 pounds per square inch sustained for 5 minutes.

(3) Periodic drop and hydrostatic tests are not required where container has satisfactorily met prescribed tests at the original start of production. Satisfactory test results must be obtained on samples of subsequent containers that have been altered in design or construction. Samples so tested must be retained.

9. Amend § 78.90–2 paragraph (a) and § 78.90–12 paragraph (a) (15 F. R. 8440, 8441, Dec. 2, 1950) (49 CFR 78.90–2 and § 78.90–12, 1950 Rev.) to read as follows:

§ 78.90–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.90–10 (a) (3). Actual capacity of containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts.

§ 78.90–12 *Type tests.* (a) Samples, taken at random and closed as for use, must be capable of withstanding prescribed tests without leakage. Tests to be made of each type and size by each company starting production and to be repeated every 12 months, except as provided in subparagraph (3) of this paragraph. Samples last tested to be retained until further tests are made. The type tests are as follows:

(1) Test by dropping, filled with water to 98 percent capacity, from height of 6 feet onto solid concrete so as to strike diagonally on chime, or when without chime seam, to strike on other circumferential seam; also additional drop test on any other parts which might be considered weaker than the chime. Closing devices and other parts projecting beyond chime or rolling hoops must also be capable of withstanding this test.

(2) Hydrostatic pressure test of 80 pounds per square inch sustained for 5 minutes.

(3) Periodic drop and hydrostatic tests are not required where container has satisfactorily met prescribed tests at the original start of production. Satisfactory test results must be obtained on samples of subsequent containers that have been altered in design or construction. Samples so tested must be retained.

10. Amend § 78.91–2 paragraph (a) (15 F. R. 8441, Dec. 2, 1950) (49 CFR 78.91–2, 1950 Rev.) to read as follows:

§ 78.91–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.91–11 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

11. Amend § 78.97–2 paragraph (a) (15 F. R. 8442, Dec. 2, 1950) (49 CFR 78.97–2, 1950 Rev.) to read as follows:

§ 78.97–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.97–9 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

12. Amend § 78.98–2 paragraph (a) (15 F. R. 8443, Dec. 2, 1950) (49 CFR 78.98–2, 1950 Rev.) to read as follows:

§ 78.98–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.98–9 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

13. Amend § 78.99–2 paragraph (a) (15 F. R. 8444, Dec. 2, 1950) (49 CFR 78.99–2, 1950 Rev.) to read as follows:

§ 78.99–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.99–9 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

14. Amend § 78.100–2 paragraph (a) (15 F. R. 8444, Dec. 2, 1950) (49 CFR 78.100–2, 1950 Rev.) to read as follows:

§ 78.100–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.100–9 (a) (3). Actual capacity of straight-sided containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts; actual capacity of bilge-type containers must be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 2 quarts.

15. Amend § 78.101–2 paragraph (a) (15 F. R. 8445, Dec. 2, 1950) (49 CFR 78.101–2, 1950 Rev.) to read as follows:

§ 78.101–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.101–9 (a) (3). Actual capacity of containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts.

16. Add § 78.110 to § 78.110–11 (15 F. R. 8447, Dec. 2, 1950) (49 CFR 78.110, 1950 Rev.) to read as follows:

§ 78.110 *Specification 42F; aluminum barrels or drums.* Removable heads.

§ 78.110–1 *Compliance.* (a) Required in all details.

§ 78.110–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.110–8 (a) (3). Actual capacity shall be not less than rated capacity, nor greater than rated capacity plus 2 percent plus 1 gallon.

§ 78.110–3 *Composition.* (a) Body and heads of aluminum alloy 61S, or an aluminum base alloy of equivalent corrosion resistance and physical properties.

§ 78.110–4 *Seams.* (a) None. Body shall be seamless.

§ 78.110–5 *Parts and dimensions.* (a) Parts and dimensions as follows:

Marked capacity not over (gallons)	Authorized gross weight not over (pounds)	Type of container	Minimum thickness of material (inch)		Rolling hoops
			Body	Head	
50	450	Bilge	0.091	0.102	None

§ 78.110–6 *Closures.* (a) Adequate to prevent leakage; gaskets required.

(b) Closures must be of bolted ring type made of not less than 10 gauge carbon steel with drop forged threaded lugs and ⅝" minimum diameter cap screw.

§ 78.110–7 *Defective containers.* (a) Leaks and other defects shall be repaired by welding, using welding material of same composition as parts being repaired.

§ 78.110–8 *Marking.* (a) Marking on each container by embossing on head with raised marks as follows:

(1) ICC–42F***; stars to be replaced by the authorized gross weight (for example, ICC–42F450, etc.). This mark shall be understood to certify that the container complies with all specification requirements.

(2) Name or symbol (letters) of maker; this must be recorded with the Bureau of Explosives.

(3) Gauge of metal, Brown and Sharpe, in thinnest part; rated capacity, in gallons; and year of manufacture (for example, 11–50–52). When gauge of metal in body differs from that in head, both must be indicated with slanting line between and with gauge of body indicated first (for example, 11/10–50–52 for body 11 gauge and head 10 gauge).

§ 78.110–9 *Size of markings.* (a) Size of markings (minimum): ½" high for 33 gallons or less, ¾" for over 33 gallons.

§ 78.110–10 *Type tests.* (a) Samples, taken at random and closed as for use, shall withstand prescribed tests without leakage. Tests to be made of each type and size by each company starting production and to be repeated every 4 months. Samples last tested to be retained until further tests are made. The type tests are as follows:

(1) Test by dropping, filled with dry, finely powdered material to the authorized gross weight, from height of 4 feet onto solid concrete so as to strike diagonally on top chime, or when without chime seam to strike on other circumferential seam; also an additional drop test on any other parts which might be considered weaker than the chime. Closing devices and other parts projecting beyond chime must also be capable of withstanding this test.

(2) Hydrostatic pressure test of 30 pounds per square inch sustained for 5 minutes. Leakage through closure shall not constitute failure.

§ 78.110–11 *Leakage test.* (a) Each container shall be tested under water or covered with soapsuds or heavy oil, by interior air pressure of at least 15 pounds per square inch. Equally efficient means of testing are authorized upon demonstration and proof of satisfactory tests to representatives of Bureau of Explosives. Leakers shall be rejected or repaired and retested. Containers not required to be tested with heads in place, except that samples taken at random and closed as for use of each type and size, must be tested at start of production and repeated every 4 months. Samples so tested must be retained until further tests are made.

17. Amend § 78.115–2 paragraph (a) (17 F. R. 4297, May 10, 1952) (49 CFR 78.115–2, 1950 Rev.) to read as follows:

§ 78.115–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.115–10 (a) (3). Actual capacity of containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts.

18. Amend § 78.116–2 paragraph (a) (17 F. R. 4297, May 10, 1952) (49 CFR 78.116–2, 1950 Rev.) to read as follows:

§ 78.116–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.116–10 (a) (3). Actual capacity of containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts.

19. Amend § 78.117–2 paragraph (a) (17 F. R. 4297, May 10, 1952) (49 CFR 78.117–2, 1950 Rev.) to read as follows:

§ 78.117–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.117–11 (a) (3). Actual capacity of containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts.

20. Amend § 78.118–2 paragraph (a) (17 F. R. 4297, May 10, 1952) (49 CFR 78.118–2, 1950 Rev.) to read as follows:

§ 78.118–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.118–10 (a) (3). Actual capacity of containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent, nor greater than rated capacity plus 2 percent plus 2 quarts.

21. Amend § 78.119–2 paragraph (a) (5 F. R. 8450, Dec. 2, 1950) (49 CFR 78.119–2, 1950 Rev.) to read as follows:

§ 78.119–2 *Rated capacity.* (a) Rated capacity as marked, see § 78.119–10 (a) (3). Actual capacity of containers shall be not less than rated (marked) capacity plus 2 percent, nor greater than rated capacity plus 2 percent, plus 1 quart, except that for containers over 30 gallons marked capacity actual capacity shall be not less than rated capacity plus 2 percent; nor greater than rated capacity plus 2 percent plus 2 quarts.

22. Amend § 78.125–5 paragraph (a) Table (17 F. R. 4297, May 10, 1952) (49 CFR 1950 Rev., 1951 Supp., 78.125–5) to read as follows:

§ 78.125–5 *Parts and dimensions.* (a) * * *

Marked capacity not over (gallons)	Authorized gross weight not over (pounds)	Type of container	Welded side seam required	Minimum thickness in the black (gauge, United States standard)	
				Body sheet	Head sheet
55	60	Straight side	No	26	26
	80	do	No	24	24
	160	do	No	22	22
	300	do	No	20	20
	425	do	No	19	19
	480	do	Yes	19	19
	880	do	Yes	18	18

SUBPART F—SPECIFICATIONS FOR FIBERBOARD BOXES, DRUMS, AND MAILING TUBES

Amend § 78.218–4 paragraph (a) (15 F. R. 8480, Dec. 2, 1950) (49 CFR 78.218–4, 1950 Rev.) to read as follows:

§ 78.218–4 *Stitching staples.* (a) If used, shall be of steel wire, copper-coated or equivalent in nonsparking quality, at least 3/32" by 0.019" or equivalent cross section formed into staples approximately 7/16" wide.

SUBPART H—SPECIFICATIONS FOR PORTABLE TANKS

Add paragraph (c) to § 78.245–1 (15 F. R. 8483, Dec. 2, 1950) (49 CFR 78.245–1, 1950 Rev.) to read as follows:

§ 78.245–1 *Requirements for design and construction.* * * *

(c) On and after August 31, 1953, every uninsulated portable tank shall, unless it is constructed of aluminum, stainless steel, or other bright nontarnishing metal, be painted all over a white, aluminum, or similar reflecting color.

SUBPART I—SPECIFICATIONS FOR TANK CARS

1. Amend § 78.270 entire paragraph ICC–12 (15 F. R. 8495, Dec. 2, 1950) (49 CFR 78.270, 1950 Rev.) to read as follows:

§ 78.270 *Specification for tank cars having lagged riveted steel tanks, Class ICC–104A.* * * *

ICC–12. *Venting, loading and discharging, gauging and sampling devices.* (a) Venting, and loading and discharging valves must be of approved type, made of metal not subject to rapid deterioration by the lading, and must withstand a pressure of 100 pounds per square inch without leakage. The valves must be directly bolted to seatings on manhole cover. Pipe connections of the valves must be closed with approved screw plugs chained or otherwise fastened to prevent misplacement. Interior pipes of the liquid and gas discharge valves must be equipped with check valves.

ICC–12. (b) Gauging device, sampling valve, and thermometer well are not specification requirements. When used, they must be of approved design, made of metal not subject to rapid deterioration by the lading, and must withstand a pressure of 100 pounds per square inch without leakage. Interior pipes of the gauging device and sampling valve must be equipped with check valves of approved design. Thermometer well must be closed with screw plug.

2. Amend § 78.280 AAR–6 (j–1) Note 1 paragraph (b) (16 F. R. 11783, Nov. 21, 1951) (49 CFR 1950 Rev., 1951 Supp., 78.280) to read as follows:

§ 78.280 *Specification for tank cars having fusion-welded steel tanks Class ICC–103–W.* * * *

AAR–6. *Nondestructive tests.* (j–1) * * *

NOTE 1: * * *

(b) Should the length of slag inclusions or cavities, if any, described in paragraph AAR–6 (j–12) be not greater than 3/16 T, where T is the thickness of the weld, and the number of such imperfections is not in excess of one (1) for any fifteen (15) foot increment of radiographed longitudinal and circumferential fusion welded joint of all three tanks, then only the intersections of all longitudinal and circumferential fusion welded joints of all remaining tanks in the first group of twenty (20) covered by the same purchase order shall be radiographed.

* * * * *

3. Amend § 78.285 entire paragraph ICC–11 (15 F. R. 8514, Dec. 2, 1950) (49 CFR 78.285, 1950 Rev.) to read as follows:

§ 78.285 *Specification for tank cars having lagged fusion-welded steel tanks Class ICC–104A–W.* * * *

ICC–11. *Venting, loading and discharging, gauging and sampling devices.* (a) Venting, and loading and discharging valves must be of approved type, made of metal not subject to rapid deterioration by the lading, and must withstand a pressure of 100 pounds per square inch without leakage. The valves must be directly bolted to seatings on manhole cover. Pipe connections of valves must be closed with approved screw plugs chained or otherwise fastened to prevent misplacement. Interior pipes of the liquid and gas discharge valves must be equipped with check valves.

ICC–11. (b) Gauging device, sampling valve, and thermometer well are not specification requirements. When used, they must be of approved design, made of metal not subject to rapid deterioration by the lading, and must withstand a pressure of 100 pounds per square inch without leakage. Interior pipes of the gauging device and sampling valve must be equipped with check valves of approved design. Thermometer well must be closed with screw plug.

4. Add § 78.294 (15 F. R. 8523, Dec. 2, 1950) (49 CFR 78.294, 1950 Rev.) to read as follows:

§ 78.294 *Specification for tank cars having fusion-welded aluminum tanks, Class ICC–104A–AL–W.* This specification covers Class ICC–104A–AL–W tank cars having lagged fusion-welded aluminum tanks to which have been added A. A. R. details which are not inconsistent therewith. Wherever the word "approved" is used in this specification, it means approval by the Association of American Railroads Committee on Tank Cars as prescribed in § 78.259 (b), (c), (d), and (e) Procedure.

(a) *General requirements.* Tanks built under this specification must comply with all provisions of Specification ICC–103–AL–W, except as modified in the following paragraphs (paragraph numbers refer to like numbers in § 78.291 Specification ICC–103–AL–W):

ICC–1. *Type.* (a) Tanks built under this specification must be cylindrical, with heads dished convex outward. The tank must be provided with a manhole nozzle and cover on top of the tank of sufficient diameter to permit access to the interior of the tank and provide for the proper mounting of venting, loading, unloading, sampling, and safety valves, gauging device, thermometer well, and a protective housing on the cover. Other openings in the tank prohibited, except those required for testing anchor rivets and their protective coverings.

ICC–1. (b) The tank shell and manhole nozzle must be lagged with an approved insulation material of a thickness so that the thermal conductance is not more than 0.075 B. t. u. per square foot, per degree Fahr. differential in temperature per hour. The entire insulation must be covered with a metal jacket, efficiently flashed around all openings so as to be weather tight. When heater systems are attached to exterior of tank, the lagging over each pipe may be reduced in thickness equivalent to one-half that required for shell.

AAR-1. (a) See paragraph ICC-1 (b).

ICC-2. *Bursting pressure.* (a) The calculated burating pressure, based on the lowest tensile strength of the plate and the efficiency of the longitudinal welded joint must be at least 495 pounds per square inch.

AAR-2. (b) The opening in the tank for manhole nozzle must be reinforced so as to provide the required cross-sectional area as determined by formula shown on Figure 14-A.

ICC-4. *Thickness and width of plates.* (a) The minimum thickness of plates for heads, shell, and bottom must be $11/16$".

AAR-5. (a-1) The tank heads must be ellipsoidal for pressure on the concave side.

AAR-5. (a-2) This paragraph does not apply.

AAR-5. (b-1) This paragraph does not apply.

ICC-6. (b) Manhole nozzle must be of approved design and attached to tank by fusion-welding. Fusion-welding for securing attachments in place must be of the double-welded butt joint type or double full-fillet lap joint type.

ICC-9. *Expansion dome.* (a) Expansion dome prohibited.

ICC-9. (b) This paragraph does not apply.

ICC-9. (c) This paragraph does not apply.

AAR-9. (a) This paragraph does not apply.

AAR-9. (b) This paragraph does not apply.

AAR-9. (c) This paragraph does not apply.

AAR-9. (d) This paragraph does not apply. See paragraph AAR-2 (b).

ICC-10. *Manhole nozzle, cover and protective housing.* (a) Manhole nozzle must be of cast, forged, pressed, or fabricated aluminum alloy or other material not subject to rapid deterioration by the lading, at least 18" inside diameter having approved wall thicknesses and dimensions.

ICC-10. (b) Manhole cover must be of forged or rolled aluminum alloy at least $2\frac{1}{2}$ inches thick, or other approved material at least $2\frac{1}{4}$ inches thick, machined to approved dimensions. Manhole cover must be attached to manhole nozzle by through bolts not entering tank.

ICC-10. (c) The shearing value of the bolts attaching protective housing to manhole cover must not exceed 70 percent of shearing value of bolts attaching manhole cover to manhole nozzle.

ICC-10. (d) All joints between manhole cover and manhole nozzle, and between manhole cover and valve or other appurtenances mounted thereon, must be made tight against vapor pressure.

ICC-10. (e) Protective housing of cast, pressed, or fabricated steel or other approved materials must be bolted to manhole cover. Housing must be equipped with a cover that can be securely closed. Housing cover on tanks used for the transportation of flammable compressed gases must be provided with an opening equipped with an approved weatherproof covering and having an area at least equal to the total safety valve discharge area. Housing cover must have suitable stop to prevent cover striking loading or unloading connections and be hinged on one side only with approved riveted pin or rod with nuts and cotters. Openings in wall of housing must be equipped with screw plugs or other closures.

AAR-10. *Manhole cover.* (a) For dimensions and tolerances of manhole covers see Figure 8 and 8-A.

ICC-11. *Venting, loading and discharging, gauging and sampling devices.* (a) These devices must be of approved type, made of metal not subject to rapid deterioration by the lading, and must withstand a pressure of 100 pounds per square inch without leakage. The venting and loading and discharging valves must be directly bolted to seatings on manhole cover. Pipe connections of valves must be closed with approved screw plugs chained or otherwise fastened to prevent misplacement. Thermometer well and sampling valve, if applied, must be closed with screw plugs or valves.

ICC-11. (b) The interior pipes of the liquid and gas discharge valves, except as prescribed in paragraph ICC-11 (c) may be equipped with check valves of an approved design.

ICC-11. (c) Tanks for the use in transportation of liquefied compressed flammable gases must have the interior pipes of the liquid and gas discharge valves equipped with check valves of an approved design.

ICC-11. (d) Gauging device, sampling valve, check valves, and thermometer well are not specification requirements on tanks used for the transportation of commodities other than those classed as liquefied compressed flammable gases.

ICC-12. (a) This paragraph does not apply.

AAR-12. (a) This paragraph does not apply.

ICC-13. (a) Bottom discharge outlet prohibited.

ICC-13. (b) This paragraph does not apply.

ICC-13. (c) This paragraph does not apply.

AAR-13. (a) This paragraph does not apply.

AAR-13. (b) This paragraph does not apply.

AAR-13. (c) This paragraph does not apply.

AAR-13. (d) This paragraph does not apply.

AAR-13. (e) This paragraph does not apply.

AAR-13. (f) This paragraph does not apply.

AAR-13. (g) This paragraph does not apply.

ICC-14. *Safety valves.* (a) The tank must be equipped with one or more safety valves of approved type, made of metal not subject to rapid deterioration by lading and mounted on manhole cover. The total valve discharge capacity must be sufficient to prevent building up of pressure in tank in excess of 75 pounds per square inch.

ICC-14. (b) This paragraph does not apply.

ICC-14. (c) The safety valves must be set to open at a pressure of not exceeding 75 pounds per square inch. (For tolerance see paragraph ICC-18).

ICC-14. (d) This paragraph does not apply.

AAR-14. (a) Safety valve must be of approved design. See Appendix "A" for formula for calculating discharge capacity of valve and method of testing sample valve of a particular design to determine its actual discharge capacity which must at least equal the capacity calculated as necessary to prevent building up pressure in the tank in excess of 75 pounds per square inch.

AAR-14. (b) This paragraph does not apply.

ICC-15. *Fixtures, reinforcements, and attachments, not otherwise specified.* (a) Attachments, other than the anchorage and those mounted on manhole nozzle and cover, are prohibited. Heater systems may be applied to exterior of tank by tank bands or other approved method.

AAR-15. (b) This paragraph does not apply.

ICC-16. *Plugs for openings.* (a) Plugs must be of approved type with standard pipe thread, and of metal not subject to rapid deterioration by the lading.

ICC-17. *Tests of tanks.* (a) Each tank must be tested, after anchorage is applied and before the tank lagging is applied, by completely filling tank and manhole nozzle with water or other liquid of similar viscosity having a temperature which must not exceed 100° F. during test, and applying a pressure of 100 pounds per square inch. The tank must hold the prescribed pressure for at least 10 minutes without leakage or evidence of distress. All closures, except safety valves, must be in place while test is made.

ICC-17. (c) Tests of exterior heater systems not a specification requirement.

AAR-17. (b) See paragraph ICC-17 (a).

ICC-18. *Tests of safety valves.* (a) Each valve must be tested by air or gas before being put into service. The valve must open at a pressure not exceeding 75 pounds per square inch and be vapor tight at 60 pounds per square inch, which limiting pressures must not be affected by any auxiliary closure or other combination.

AAR-18. (a) This paragraph does not apply.

ICC-19. *Retests of tanks and safety valves.* (a) Tanks must be retested at intervals of 5 years or less to a pressure as prescribed in paragraph ICC-17 (a), except that the tank lagging and jacket need not be removed unless the pressure in the tank drops during the test period, indicating leakage; and safety valves must be retested to a pressure as prescribed in paragraphs ICC-14 (c) and ICC-18. Tanks must be retested before being returned to service after any repairs requiring welding. Reports must be rendered as prescribed in paragraph ICC-21.

AAR-19. (a) See paragraph ICC-19 (a).

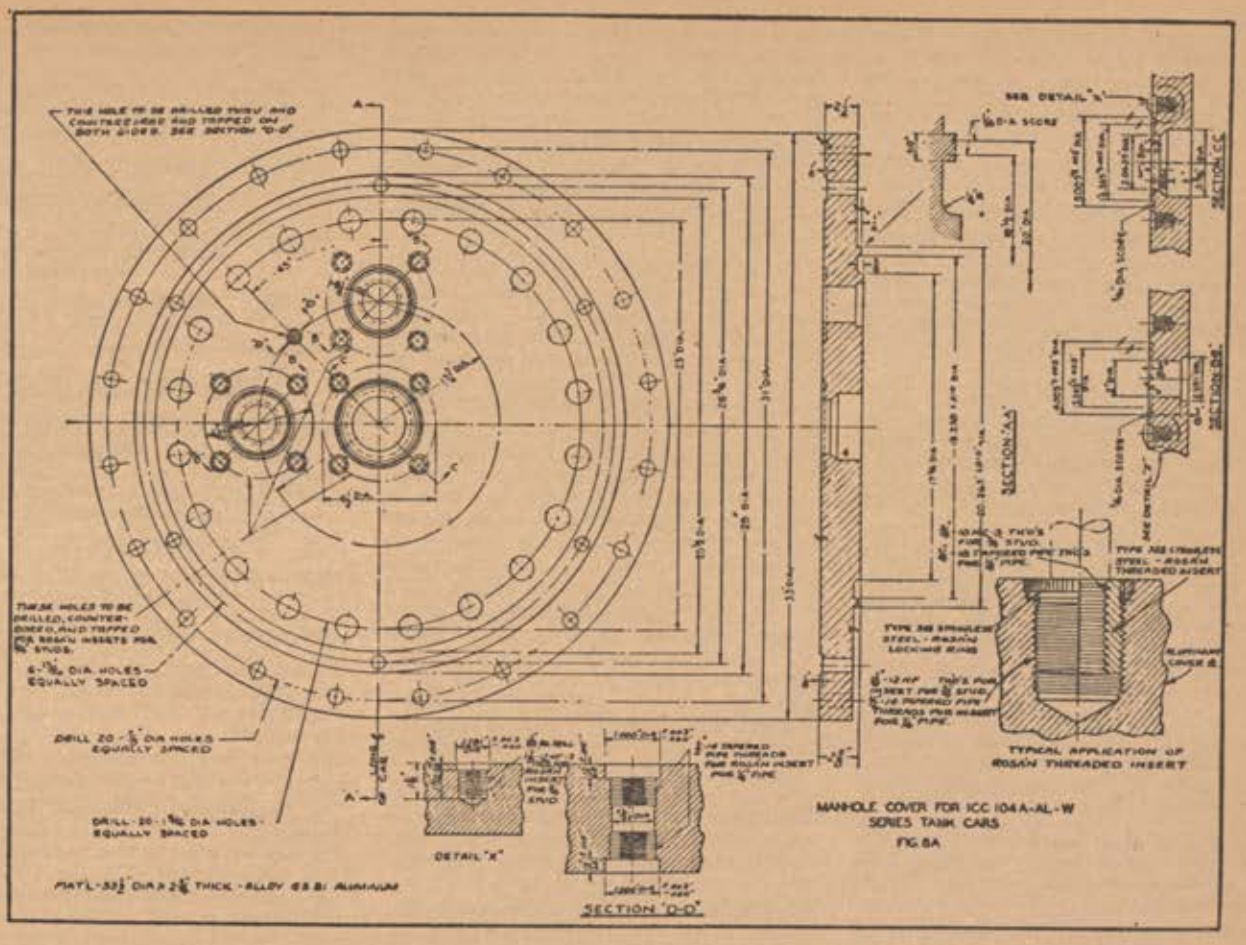
ICC-20. (b) ICC-104A-AL-W in letters and figures at least $\frac{3}{8}$ inch high stamped plainly and permanently into the metal near the center of both outside heads of the tank by the tank builder. This mark must also be stenciled on the jacket in letters and figures at least 2 inches high by the party assembling the completed car.

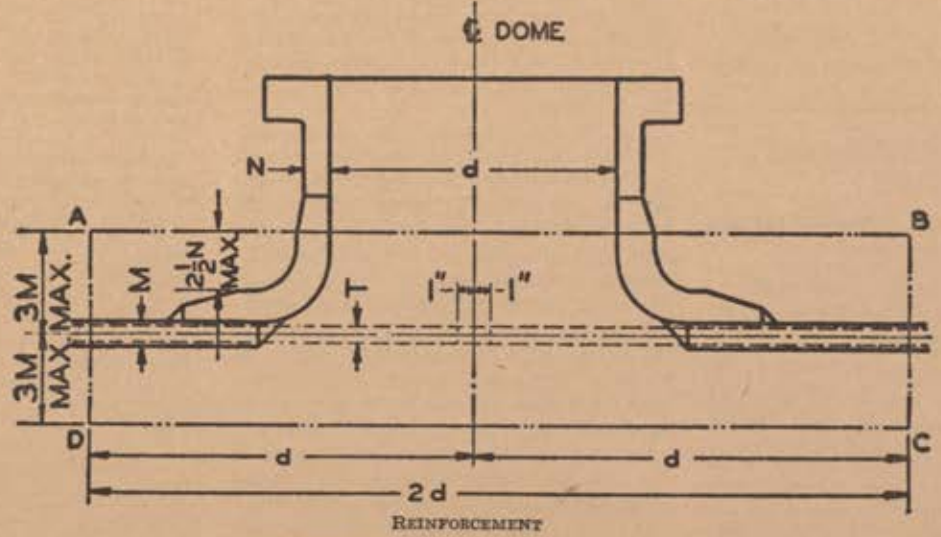
ICC-20. (g) This paragraph does not apply.

ICC-20. (h) This paragraph does not apply.

ICC-20. (j) Water capacity of the tank in pounds stamped plainly and permanently in letters and figures at least $\frac{3}{8}$ inch high into the metal of the tank immediately below the mark specified in paragraphs ICC-20 (c) and ICC-20 (d). This mark must also be stenciled on the jacket immediately below the dome platform and either behind or within three feet of the right or left side of ladder, or ladders, if there is a ladder on each side of the tank, in letters and figures at least 2 inches high as follows: Water Capacity 000000 Pounds.

5. Add Figures 8A and 14A to Appendix C, Part 78, Subpart I (15 F. R. 8534, 8536, Dec. 2, 1950) (49 CFR Appendix C, Part 78, Subpart I, 1950 Rev.) as follows:





REINFORCEMENT

d = inside diameter of nozzle.
T = shell thickness required by specifications.
M = actual shell thickness.
N = nozzle thickness.

Cross-section area available equals actual area in rectangle *ABCD*. (Use $3M$ or $2\frac{1}{2}N$ whichever is less.) =

Area required equals $2T(d-1)$ =

Excess area over requirements =

FIGURE 14A—Nozzle reinforcement (ICC 104A-AL-W).

SUBPART J—SPECIFICATIONS FOR CONTAINERS FOR MOTOR VEHICLE TRANSPORTATION

Add paragraph (c) to § 78.336–1 (15 F. R. 8556, Dec. 2, 1950) (49 CFR 78.336–1, 1950 Rev.) to read as follows:

§ 78.336–1 *Requirements for design and construction.* * * *

(c) On and after August 31, 1953, every uninsulated cargo tank permanently attached to a tank motor vehicle shall, unless it be constructed of aluminum, stainless steel, or other bright nontarnishing metal, be painted all over a white, aluminum, or similar reflecting color.

It is further ordered, That the foregoing amendments to the aforesaid regulations shall have full force and effect on October 25, 1952, and that such regulations as herein amended shall thereafter be observed until further order of the Commission.

It is further ordered, That compliance with the aforesaid regulations as herein amended is hereby authorized on and after the date of service of this order.

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register.

(Sec. 204, 49 Stat. 546, as amended, sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. Sup. 835. Interpret or apply 62 Stat. 738; 18 U. S. C. 831–834)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–8807; Filed, Aug. 8, 1952; 8:53 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

OPERATION PENDING ACTION ON RENEWAL APPLICATION

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of July 1952;

The Commission having under consideration § 1.384 of the Commission's rules and regulations;

It appearing, that § 1.384 of the Commission's rules and regulations should be amended so as to make this section expressly consistent with the requirements of the Administrative Procedure Act; and

It further appearing, that this amendment is procedural in character and that, therefore, the provisions of section 4 of the Administrative Procedure Act with respect to notice of proposed rule making are inapplicable and that the amendment may be made effective immediately; and

It further appearing, that the amendment is issued pursuant to the authority contained in sections 4 (i) and (j) and 303 (r) of the Communications Act of 1934, as amended, and section 9 (b) of the Administrative Procedure Act;

It is ordered, That effective immediately § 1.384 of the Commission's rules and regulations is amended to read as follows:

§ 1.384 *Operation pending action on renewal application.* (a) When there is pending before the Commission at the time of expiration of license any proper and timely application for renewal of license with respect to any activity of a continuing nature, in accordance with the provisions of section 9 (b) of the Administrative Procedure Act, such license shall continue in effect without further action by the Commission until such time as the Commission shall make a final determination with respect to the renewal application. No operation by any licensee under this section shall be construed as a finding by the Commission that the operation will serve public interest, convenience, or necessity nor shall such operation in any way affect or limit the action of the Commission with respect to any pending application or proceeding. A licensee operating by virtue of this section shall, after the date of expiration specified in the license, post in addition to the original license the acknowledgment received from the Commission that the renewal application has been accepted for filing or a signed copy of the application for renewal of license which has been submitted by the licensee or, in services other than broadcast and common carrier, a statement certifying that the licensee has mailed or filed a renewal application, specifying the date of mailing or filing.

(b) Where there is pending before the Commission at the time of expiration of license any proper and timely application for renewal or extension of the term of a license with respect to any activity not of a continuing nature, the Commission may in its discretion grant a temporary extension of such license, pending determination of such application. No such temporary extension shall be construed as a finding by the Commission that the operation of any radio station thereunder will serve public interest, convenience, or necessity beyond the express terms of such temporary extension of license nor shall such temporary extension in any way affect or limit the action of the Commission with respect to any pending application or proceeding.

(c) Except where an instrument of authorization clearly states on its face that it relates to an activity not of a continuing nature, or where the authorization is expressly denominated "temporary", or where the non-continuing nature is otherwise clearly apparent upon the face of the authorization, all licenses issued by the Commission shall be deemed to be related to an activity of a continuing nature.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082; 47 U. S. C. 303)

Released: August 4, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE, *Secretary*

[F. R. Doc. 52–8808; Filed, Aug. 8, 1952; 8:53 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 36—ALASKA REGION

SUBPART—ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

WATERFOWL AND PTARMIGAN HUNTING

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that the continuation of waterfowl and ptarmigan hunting can be permitted on a part of Adak Island in the Aleutian Islands National Wildlife Refuge, Alaska, without interfering with the primary purpose of the refuge.

Inasmuch as the following regulation is a relaxation of existing regulations applicable to the Aleutian Islands National Wildlife Refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, § 36.11 is revised to read as follows:

§ 36.11 *Waterfowl and ptarmigan hunting permitted.* Hunting migratory waterfowl and ptarmigan is permitted on all of Adak Island of the Aleutian Islands National Wildlife Refuge except that part south and west of a line extending from the head of the South Arm of Three Arm Bay to the head of the Bay of Waterfalls, as designated by posting by the officer in charge of the refuge, subject to the provisions, restrictions and requirements of §§ 36.12 and 36.13. Migratory waterfowl may be taken during the season prescribed and in accordance with the provisions of applicable Federal laws and regulations during the 1952 calendar year. Ptarmigan may be hunted in the daylight hours during the period August 20, 1952, to February 28, 1953, inclusive, in accordance with the provisions of current Alaska game law regulations.

(Sec. 10, 45 Stat. 1224; 16 U. S. C. 715i)

Dated: August 4, 1952.

O. H. JOHNSON, *Acting Director.*

[F. R. Doc. 52–8772; Filed, Aug. 8, 1952; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Parts 904, 934, 947, 996, 999]

[Docket Nos. AO–14–A21, AO–83–A17, AO–203–A3, AO–204–A3, AO–113–A14, A11 RO–1]

HANDLING OF MILK IN GREATER BOSTON, LOWELL-LAWRENCE, SPRINGFIELD, WORCESTER, AND FALL RIVER, MASS., MARKETING AREAS

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENTS AND PROPOSED ORDERS AMENDING ORDERS NOW IN EFFECT

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Barre, Vermont, on January 28; West Springfield, Massachusetts, on January 29; and Boston, Massachusetts, on January 30 through February 1, 1952, pursuant to a notice thereof which was issued on December 27, 1951 (17 F. R. 91) and reopened at Boston, Massachusetts, on May 12–15, 1952, pursuant to a notice thereof which was issued March 6, 1952 (17 F. R. 2063) and a revised notice thereof issued April 28, 1952 (17 F. R. 3888) upon proposed amendments to the tentative marketing agreements and to the orders now in effect, regulating the handling of milk in the Greater Boston, Lowell-Lawrence, Springfield, Worcester, and Fall River, Massachusetts, marketing areas.

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on April 15, 1952 and July 8, 1952, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decisions and opportunity to file written exceptions thereto which were published in the FEDERAL REGISTER on April 19, 1952 (17 F. R. 3496) and July 12, 1952 (17 F. R. 6271).

Rulings. Within the periods reserved for exceptions, interested parties filed exceptions to certain of the findings, conclusions, and actions recommended by the Assistant Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions, and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

Issues considered. The material issues considered at the hearing and herein decided upon were concerned with the following:

1. The level and basis of pricing Class I milk in all five markets.
2. The classification of skim milk for human consumption in all five markets.
3. A revision of the definition of concentrated milk in all five markets.
4. Extension of the limits of the Boston marketing area.
5. Revision of the Lowell-Lawrence pool plant requirements.
6. Proposals relating to handlers' obligations with respect to members of cooperative associations of producers in all five markets.
7. Modification of the classification provisions with reference to second transfers of milk between certain plants under the Boston, Springfield, Worcester, and Lowell-Lawrence orders.
8. Extension of the zone differentials under the Boston order to reflect additional mileage distances.
9. Revision of the exempt milk definition under the Lowell-Lawrence order to include receipts from nonpool plants for custom bottling.
10. An extension of the nearby differential area under the Springfield order to include the town of Stafford, Connecticut.
11. An extension of the Springfield marketing area.
12. A revision of the emergency milk provisions under the Springfield order to reduce the pool obligations on receipts of emergency outside milk.
13. Modification of differentials under the Worcester order.
14. Revision of the Boston and Worcester orders with respect to the classification of inter-market transfers of fluid milk products.
15. Miscellaneous non - substantive changes in the order provisions.

Findings and conclusions. The following findings and conclusions are based upon the evidence introduced at the hearing including the reopened hearing and the record thereof.

1. *Class I price.* The principal issue at the January–February hearing and at the reopened hearing dealt with the current level of Class I prices in each of the five Massachusetts Federal order markets in relation to the standards for establishing prices set forth in the Agricultural Marketing Agreement Act and the selection of certain automatic adjustment factors which would modify such Class I prices in the future in accordance with changed circumstances. It is concluded that the Class I prices in each of these orders be related to a "New England basic Class I formula" price. The basic formula price should be determined by combining indexes of wholesale commodity prices, New England disposable income, and a feed grain-farm wage rate index, all related to a 1951 base, and by applying to such basic price certain percentage adjustments to reflect above or below normal supplies of milk relative to Class I sales and a schedule of seasonal price adjustments. The operation of the supply-demand adjustment to reduce the price should be limited to a possible 4 percent reduction until March 1953. The resultant price should continue to be expressed in intervals of 22-cent price change.

The Class I price in each of these Massachusetts markets is determined currently by a formula method which was adopted initially as a part of the Boston order, April 1, 1948. On the basis of the hearing record of January 28–February 1, certain changes in the formula were recommended and subsequently amendments carrying out those recommendations became effective April 1, 1952. By these amendments the formula was revised to make use of currently published indexes of wholesale prices and per capita disposable income in New England and the schedule of prices related to the index factors was adjusted to the current price level. The evidence presented at the May 12–15 hearing confirms the findings on the previous record that certain revisions should be made in the indexes used in the basic formula and that the current basic price level should be continued subject to changes in the relationship of milk receipts from producers to the total Class I sales.

The most important revision in the pricing formula recommended at this time is a proposed method of increasing or decreasing the formula Class I price according to a schedule which indicates whether the current supply relative to Class I sales is above or below normal. To measure the percentage of normal supply, the formula would make use of the latest published data on receipts from producers and Class I sales in the Federal order markets of Boston, Lowell-Lawrence, Springfield, and Worcester, Massachusetts. The orders regulating the handling of milk in each of these markets are generally similar in that they provide for market-wide pools and encourage handlers to operate their plants in the pool on a year-round basis. The combined utilization of milk in these four markets represents a substantial part of the Class I sales in Massachusetts and the receipts from producers to supply those sales. Therefore, the ratio of the combined receipts to the combined sales should provide a good measure of the adequacy of the supply of milk in the region.

The exact figure at which the supply should be regarded as normal cannot be determined with pinpoint accuracy. There are a number of variables which affect both the supply of milk and the Class I sales so that any estimate of prospective requirements measured from even the most recent data available is subject to some degree of error. The evidence indicated that handlers who have city distributing business and who also receive milk at country plants consider it is necessary to have at least 13 percent more milk in November than they utilize in Class I sales. This reserve is calculated to be necessary to allow for the daily variation in producer receipts and in Class I sales. The reserve estimate was made on the assumption that some inventory would be carried along to meet the usual weekly peak of daily sales. Other estimates of the margin of reserve

necessary to supply Class I sales during the shortest supply month ranged as high as 20 percent. Most witnesses indicated that about 18 percent reserve is needed during November in order to be assured of having an adequate supply at all times. Because of the highly variable conditions of supply, it appears desirable to establish a goal which represents an ample rather than a scanty margin of reserve for Class I sales. It is concluded therefore that the optimum supply relative to sales should be established on the generous side with graduated price adjustments designed to direct the supply within that normal range. The normal supply relative to Class I sales for the four markets can be expressed according to this record in terms of 80 to 84 percent Class I during the month of November.

In order to relate percentages of Class I in other months of the year to the November standard, the normal pattern of seasonal variation in producer receipts and Class I sales for the four markets must be recognized. A schedule of normal Class I percentages equivalent to 82 percent Class I in November should be used as the basis for measuring deviations from the normal during the most recent two months for which data are available. The record indicates that a two-month average is more stable than a one-month average and any longer period of time increases the necessary lag in the data used without adding appreciably to the accuracy of the prediction from such data.

The price adjustments for deviations from normal supply should amount to about a 2 percent price change for each change from the normal November Class I percent of 2 percentage points when the percent of normal supply (normal percent of Class I divided by current percent of Class I) varies from 95 to 105 percent. The 2 percent price adjustments should be related to a smaller change in the normal supply when the supply is outside this middle range. The schedule of price adjustments should extend to a 12 percent plus adjustment when the normal supply is 91½ percent or under and to a minus 12 percent when the supply is 112 percent or more of the normal rate. If the supply moves outside these limits or remains for any period of time in the outer adjustment brackets, the schedule of adjustment and the basic price should be reconsidered at a hearing.

The supply-demand adjustment should be instituted on a gradual scale so that any reduction prior to January 1953 would be limited to 2 percent of the price and in January and February 1953 the effect of the adjustment could not reduce the price more than 4 percent regardless of the level of supply. Recent announcements of the receipts of milk from producers relative to Class I sales as shown on public releases of the Boston, Springfield, Worcester, and Lowell-Lawrence Federal milk market administrator (official notice being taken of such releases) show a marked increase in the ratio of receipts to Class I sales. If the current level of supply relative to sales continues, the supply demand adjustment might operate to reduce the price as much as 10 percent at the outset. It is concluded that the formula should be permitted to operate for some time with only a moderate adjustment for oversupply in order to observe whether the current supply situation will be corrected by the other factors in the formula.

The evidence at the hearing indicated that the seasonal adjustments to the price should be made in terms of percent to reflect changes in the price level, rather than in fixed amounts; and that the adjustments should be graduated over a wider seasonal range with less abrupt changes from month to month. The revised seasonal price schedule is designated to encourage producers to deliver a larger share of their annual milk production during the period from September through February.

The record indicates that price adjustments should be effected as soon as any of the various formula factors indicate the need for a price change. However, representatives of producers, handlers, and state milk control agencies testified at the hearing that they favored retarding price adjustments until their accumulated effect would bring about a change of 22 cents in the Class I price. Class I price changes in New England markets have been made in multiples of 20 or 22 cents for several years and the industry has become accustomed to such adjustments. Although the record indicates that such bracketed price adjustments have in the past brought about too late and too abrupt price changes, several revisions proposed in the pricing formula at this time reduce the lag and the precipitous effect of the price adjustments. The effect of the bracketed price changes on the operation of the revised formula may not seriously retard the necessary adjustments. It is concluded, therefore, that the pricing should be continued at this time on the basis of bracketed 22-cent price changes.

Certain witnesses at the May 12–15 hearing proposed that the formula indexes be related to 1950 as a base period and that a base price of $5.36 be constructed. If the New England disposable income factor had been used in the pricing formula in 1950, the price would have averaged for the year $4.92 instead of the actual average of $5.14. The witnesses who supported the substitution of the disposable income factor for the previously used department store sales index testified that the prices which would have resulted from the use of the disposable income factor were reasonable. In 1951 the substitution of the disposable income factor would have had very little effect on the average price for the year. It appears desirable therefore to adopt the 1951 base which is more up to date and which can be used with the base price computed on the same period. By adopting the 1951 base period, it is apparent that the basic price level would change in the future from the 1951 level in accordance with changes in the formula index and the percentage of normal supply. Since the measure of normal supply proposed at this time, during the first six months of 1952, was close to 100 percent, it appears that the prices in 1951 were about right to maintain a normal supply. If the evidence in future months indicates that the current price level is not maintaining the normal level of supply, the adjustment feature of the pricing formula would make the necessary change automatically. In computing the 1951 base for New England per capita disposable income, official notice has been taken of the revised series of United States per capita disposable income figures reported by the Council of Economic Advisers to the President and the base has been adjusted accordingly.

Since the formula involves several complicated calculations, it is important to avoid any unnecessary computations. The record indicates that farm wage rates published for the New England region as a whole vary about the same as the rates for the individual States in the milkshed. Accordingly, the regional rates should be used to reflect the farm labor cost factor of the formula.

With the adoption of more frequent seasonal price changes, it is not likely that the proposed formula would produce price changes contrary to the desirable seasonable price pattern except during the months of November and December. It is concluded therefore that the order provide that the Class I formula price shall not be lower in the months of November and December than it was in the preceding month. Exceptions were filed to the failure to retain the contra-seasonal provisions effective from September through December. The basis for such exceptions was largely the anticipation of possible aberrations in the supply-demand adjustment which might bring about a price drop in September or October. Since the contra-seasonal in those months would have no effect unless the decline in other formula factors offset the 4 percent seasonal price rise, it would require a major change in the formula factors to effect a price drop. In such event, the price change would appear to be warranted.

The record indicates that the basic Class I pricing formula should be the same for each of the five Massachusetts Federal order markets. The changes in Class I prices in each of these markets should take place at the same time and in the same amount in order to maintain the appropriate differentials between the prices established for the different markets and zone locations. The differentials between the five market Class I prices have been established at the present level for several years. There is no evidence in this record to support any change in the present market differentials.

A representative of the Massachusetts Milk Control Board urged at the hearing that the Class I pricing provisions make specific requirement for yearly hearings on the Class I price and the appointment of a committee to study the Class I pricing problem. Since the situations which may indicate the need for a hearing cannot be expected to occur at regular yearly intervals, there appears to be no basis for scheduling hearings in advance of some showing that an amendment to the order may be needed.

Interested persons have joined together voluntarily to prepare testimony and evidence to be presented at public

hearings. The group which is known as the "Boston Class I Price Committee" is such an unofficial voluntary company of persons interested in milk pricing. Certain witnesses appear to have gained the impression that this voluntary group is commissioned by the Department of Agriculture to assume some responsibility in determining Class I pricing methods suitable for these New England Federal order markets. To formalize the committee's organization would appear to encourage this impression. Since the responsibility for determining prices which will effectuate the declared policy of the act rests with the Department of Agriculture, such an impression would be misleading. Therefore, it does not appear desirable to provide for a permanent and formalized committee as a part of the order regulation.

2. *Classification of skim milk.* The present classification provisions of all five New England orders should be revised to provide for the classification of fluid skim milk disposed of for human consumption as Class I milk. Such milk under the present provisions is classified as Class II. At the time this classification scheme was adopted, fluid skim milk for human consumption was an inconsequential item limited primarily to certified skim milk dispensed under doctor's prescription. In recent years the use of fluid skim milk for human consumption has become more commonplace. Recent promotional sales work on "fat free" milk for diet conscious consumers has emphasized this product as a basic food item and an acceptable replacement for regular fluid milk. The record indicates that the same health regulations apply to fluid skim milk as to fluid whole milk. Since fluid skim milk for human consumption in the Massachusetts Federal order markets is produced from Massachusetts approved milk, it competes directly with items presently classified as Class I for available supplies of local producer milk. Accordingly, it is concluded that milk used to produce skim milk for human consumption should be classified and priced at the same level as milk used for other fluid products presently classified as Class I under each of the five Massachusetts orders.

Classification of milk disposed of as fluid skim milk should be determined in the same manner as milk disposed of as fluid whole milk. While it was proposed that the size of container be used as the determining criteria of use and accordingly classification, it is not clear how size of container would be any indication of ultimate use particularly in case of sales to restaurants, soda fountains, etc., it is concluded therefore that sales of fluid skim milk to consumers, irrespective of the type or size of container, be considered as a Class I sale. Sales of fluid whole milk and flavored skim milk are classified currently on this basis.

The classification of skim milk as Class I requires a modification of the assignment of skim milk received from producer-handlers under four of these orders. All skim milk received from producer-handlers is presently assigned to Class II under the Boston order and to Class II to the extent of a handler's Class II disposition under the Springfield, Worcester, and Lowell-Lawrence orders. However, under each of these orders, packaged milk received by a handler from a producer-handler is exempted from equalization. It is concluded that packaged skim milk should be treated in the same manner.

3. *Concentrated milk.* The definition of concentrated milk in the Fall River, Boston, Springfield, Worcester, and Lowell-Lawrence orders should be revised. The revision proposed at the hearing would define as concentrated milk only the concentrated product which is disposed of for fluid consumption. Under the definition which is presently contained in these orders, it is difficult to distinguish between the concentrated milk product and the product known as plain condensed milk. If the definition is limited to only the product which is disposed of for fluid consumption, handlers will not be charged inadvertently a Class I price for milk on hand in the form of condensed milk but eventually utilized in a form other than fluid.

Although the determination that concentrated milk was disposed of for fluid consumption may be difficult to ascertain under certain circumstances, the volume of the product sold is small and such determinations should be infrequent. Accordingly, the orders should be revised to assume that the product is not a fluid milk product until it is established that the product is disposed of for fluid consumption.

Handlers proposed also that the quantity of milk classified as Class I concentrated milk be the quantity actually sold, plus a reconstituting factor, rather than the quantity of milk used to produce the product. Under the used-to-produce method of accounting, handlers are denied any loss sustained in processing and packaging the product. Similar losses on handling whole milk may be classified in Class II up to 2 percent of the product handled.

There appears to be a wide variation in the quantity of milk represented by each quart of concentrated milk. In some instances, excessive losses in manufacture have been sustained. The orders are designed presently so that normal losses may be classified in Class II but excessive losses shall be classified as Class I. This principle should not be modified. However, in order to allow handlers of concentrated milk some adjustment for loss, only 98 percent of the quantity of milk used to produce concentrated milk shall be classified as Class I. This method will automatically provide the maximum loss allowance even though a smaller loss is sustained. However, the quantity of the product handled is small and the flat allowance can have little effect on producer returns.

4. *Extension of Boston marketing area.* The Greater Boston marketing area should be extended to include the town of Bedford, Massachusetts. The town of Bedford borders the present marketing area on the northwest boundary. The sales of milk in Bedford are made principally by handlers regulated under the Boston order. During some periods, however, occasional sales of milk in Bedford, have been supplied under contract by handlers not subject to the Boston order. In those instances, the milk has returned to producers a lower price than that established under the Boston order. Since the sales of milk in the town of Bedford are largely an extension of sales on handlers' routes originating in the marketing area and the contract sales are usually supplied by Boston handlers, it is necessary to maintain a Class I price level equivalent to that in the Boston market in order to provide a continuous supply for the town of Bedford. The occasional sales of milk in this town, which were purchased at less than the prevailing price for Class I milk, tend to impair the level of price necessary to provide an adequate supply of milk for consumers in the marketing area.

It was proposed at the hearing that several other towns which form a corridor between the Boston and Lowell-Lawrence markets be included also in the Boston marketing area. It is concluded that such towns except Bedford should not be added to the marketing area. The record shows no need for extending the marketing area in this direction for the purpose of maintaining orderly marketing of milk. On the other hand, the inclusion of this corridor in the Greater Boston market would transfer certain Class I sales from producers delivering to the Lowell-Lawrence market to the producers delivering to the Greater Boston market. Such an arbitrary transfer of Class I disposition should not be effected unless the market stability is threatened.

5. *Lowell-Lawrence pooling requirements.* The basis for computing the percentage of receipts required to be shipped to the market by a country plant in order to qualify as a pool plant under the Lowell-Lawrence order should be revised. A handler regulated under the Lowell-Lawrence order, proposed that the pooling requirements be modified to require the shipment of only 20 percent of a plant's fluid milk receipts to the marketing area as milk in order to qualify for pooling during the months of September through March. The present shipping requirement is 30 percent. The handler testified that he anticipated the possibility that he would not be able to maintain the required amount of sales in the marketing area and as a result would be required to market all of his sales in the marketing area at a price which would return to his producers only the Class II price.

The difficulty in maintaining the required percentage of shipments to the market comes about because the handler's total receipts from producers increased substantially from 1950 to 1951 and his Class I sales outside the marketing area rose from 45 percent of total Class I sales in 1950 to 55 percent of his Class I sales in 1951. The handler does a retail and wholesale business in fluid milk products in Manchester, New Hampshire, and supplies other handlers in several New Hampshire markets as well as Lowell-Lawrence. A large part of the milk supplied to other markets is in packaged products.

The service provided by the handler for other handlers in New Hampshire is largely a matter of supplying their extra seasonal needs which is partially the service which he provides for Lowell-Lawrence handlers. His direct sales to consumers in Manchester are not the usual operation of a country plant which specializes in supplying milk to other handlers.

The sales made direct to consumers outside the marketing area are fairly constant from month to month and therefore require no unusual seasonal reserve. The sales made to other handlers outside the marketing area are highly seasonal and tend to be highest when the Lowell-Lawrence market is relatively short of milk. The shipping requirement imposes an obligation on the country plant handler to offer milk at reasonable prices to handlers in the marketing area rather than solicit sales outside the market. This obligation to sell milk to handlers in the marketing area is a necessary performance requirement for plants which enjoy the privilege of pooling their surplus milk.

This obligation to sell milk to handlers in the marketing area should not extend to the point where the handler would be required to curb his direct sales to consumers outside the marketing area. The order should provide therefore that Class I sales direct to consumers outside the marketing area be deducted from total receipts and a minimum of 30 percent of the remainder be required to be shipped to the marketing area during the qualifying months. It should be provided also that such a pool plant maintain sales in the marketing area to the same extent as that required of city plants which is 10 percent of total receipts.

6. *Obligations with respect to members of cooperative associations.* The provisions of the five New England orders should be revised to require a handler to supply to an association of producers information on quantities of milk delivered to the handler by each member of the association whose name the association has previously furnished the handler. The orders presently provide that handlers make dues deductions and pay the amount deducted to the association for whom such deduction was made. Since an association would have no basis for checking the correctness of the deductions without information as to the pounds of milk delivered by each of its producer members, it is concluded that such information should be supplied promptly after producer payments are made. The proponents further requested that the order provisions be so written as to require handlers to allow an association access to receiving records, butterfat tests, and samples of its producer members. The record shows that state laws presently require that such information be made available to individual producers or the producer's authorized agent. Accordingly, it is unnecessary that such a provision be included in the orders.

The addition of a definition of an "association of producers" under the Boston order will facilitate writing the language of the other order provisions. The term is common to Federal milk marketing orders and is presently included in the secondary market orders. Section 75 of the Boston order which refers to the collection of membership dues should refer to the new definition of "association of producers."

7. *Classification of milk transferred from second plant.* The classification provisions under the Boston, Lowell-Lawrence, Springfield, and Worcester orders concerning milk which is transferred to the second unregulated plant should be revised. It was proposed at the hearing that the provisions of these orders be modified to permit the classification of milk moved through two unregulated plants in a class other than Class I. Under the present provisions, pool milk moved out of a regulated plant of a nonpool handler or out of an unregulated plant in the form of any fluid milk product except cream, is automatically classified as Class I milk. The hearing record indicates that many times such fluid milk products are moved to a plant at which the utilization of all milk is audited by the market administrator. Several of the movements take place between plants which are located inside the marketing area. Since the checking on these additional movements of fluid milk products requires no extensive examination of additional plants' records, the orders should provide that classification may be followed through the second plant movement in the case of these plants which are not regulated plants of pool handlers.

In order to avoid undue expense in verifying the classification of fluid milk products moved between plants, the privilege of claiming classification in a class other than Class I when the milk is moved from the unregulated plant as a Class I product should be limited to movements within the New England states and New York. The record indicates no necessity for movements outside these states which comprise the entire milk supply area for uses other than Class I milk.

8. *Boston zone price differentials.* No change should be made in the provisions of the Boston order establishing differentials for milk received at different zone locations. A handler currently operating in the Boston market indicated his intention of extending country plant operations to an area located more than 400 miles from Boston and proposed that the table of differentials be extended to distances up to 450 miles.

The information in this record is not sufficient to form a basis for reappraising the table of price differentials. Since milk at such distant plants would ordinarily be classified as Class II, it is particularly important to consider whether the resultant price at such point after allowing a location adjustment would be less than the prevailing level of prices paid in other regions for milk used in similar products. This matter was not discussed at the hearing.

Since the handler has not yet acquired a plant at the more distant location, there is no urgency to reach a decision. Accordingly, no change in the zone price schedule should be made on the basis of this record.

9. *Exempt milk under the Lowell-Lawrence order.* The definition of exempt milk under the Lowell-Lawrence order should be extended to include receipts from nonpool plants at a pool plant which are received for custom bottling and returned to the nonpool plant. The record indicates that a handler subject to the Lowell-Lawrence order has facilities for custom bottling milk received from nonpool plants. The milk is received from the nonpool plants, processed, packaged, and returned to such nonpool plants for distribution outside the marketing area. Such exemption is provided under the Boston, Springfield, and Worcester orders.

10. *Location differential area under the Springfield order.* The Springfield order should be revised to provide that producers residing in the town of Stafford, Connecticut, receive the 46 cent nearby location differential payment on milk delivered to Springfield handlers. The town of Stafford adjoins the towns of Ellington and Somers in Connecticut and Hampden County in Massachusetts, all of which are included in the 46 cent nearby differential area. Producers in the town of Stafford, just as those producers residing in the territory now included in the nearby differential area, have the opportunity to market their milk in a number of urban areas either directly for themselves or through the large number of handlers serving these many communities. The prices which producers in this area receive are comparable to the prices paid to producers who receive the 46 cent differential under the Springfield order.

11. *Extension of the Springfield marketing area.* The Springfield marketing area should not be extended to include the town of Hampden. A representative of the proponent of this extension of the marketing area testified at the hearing that most of the sales in this area are already covered by the regulation of the Springfield area and there is no economic necessity for extending the marketing area to include Hampden.

12. *Payments on emergency outside milk under the Springfield order.* No change should be made in the provisions which require payments on outside milk received by handlers under the Springfield order. It was proposed at the hearing that the payments on outside milk be terminated during periods in which the market administrator declared that an emergency existed with respect to the supply of milk available from producer sources for the market. In requesting this amendment, the handler proponent declared that emergency conditions had existed in recent months.

The record indicates that the supply of milk available to the Springfield market is great enough so that a handler should be able to locate a supply of producer milk within a reasonable distance of the market. It is concluded, therefore, that there is no need at this time for provisions relating to the declaration of an emergency and the termination of payments on outside milk.

13. *Differentials under the Worcester order.* No change should be made at this

time in the differentials under the Worcester order which establish the Class I price at country plants or in the nearby location differentials under such order.

The country plant differentials under the Worcester order are established currently in such a way that the Class I price at country points is about the same whether the milk is delivered to the Worcester market or to the Boston market. Large quantities of milk which are pooled under the Boston order are shipped to the Worcester market for sale in the Worcester marketing area. Under the present schedule of differentials, the price remains the same whether the plant is pooled under the Boston order or under the Worcester order.

A handler operating a country plant under the Worcester order contended that during each month of the period November 1951 through February 1952, his country blend price ran under the Boston blend for competing plants and as a result he experienced considerable difficulty in holding his producers. He proposed that the order be amended to provide that the country plant price never be allowed to go below the Boston blend at that point and that whenever this would otherwise occur the nearby differential be reduced by the amount necessary to equalize the country plant prices.

The pricing plan should provide a Worcester blend price at least equivalent to the Boston blend at such points on an annual basis in view of the relatively higher proportion of Class I milk in the Worcester market. The evidence concerning lower Worcester prices for a few months does not mean, however, that the Worcester price is tending to run lower than the Boston price on an annual basis in the same zone. Under normal circumstances the seasonal pattern of blend prices in the Boston and Worcester markets varies so that the Worcester price tends to run higher than the Boston price in the flush production season and lower in the short production season.

14. *Classification and pricing of products transferred between Worcester and Boston.* The present provisions of the Worcester order dealing with the computation of the uniform price should be amended to deduct any amounts which a Worcester handler is required to pay into the Boston pool for milk disposed of to consumers in the Boston marketing area.

Receipts at a Boston pool plant from a Worcester handler are presently considered as receipts of outside milk and are assigned to Class II without regard to the specific use of such receipts. Class I products disposed of by a Worcester handler directly to consumers in the Boston marketing area, on the other hand, are subject to a payment into the Boston pool of the difference between the Boston Class I and Class II prices. In addition the Worcester handler must account to the Worcester pool at the full Class I price for such sales. The resulting charge is excessive since it totals more than the Class I price on the quantity of milk sold in such a manner.

The record indicates that milk transferred from the Worcester market to Boston pool plants is usually seasonal surplus milk in Worcester and that during the short production season Worcester handlers depend on the Boston pool for supplementary milk supplies to meet the Class I needs of the market.

Because of the present generally short supply of milk received from producers for the Worcester market in relation to the Class I sales in that area, it is unlikely that Worcester producers could regularly supply all of the Class I requirements of additional customers located in the Boston marketing area. Therefore, it is possible that such sales direct to consumers in the Boston marketing area might be regarded as surplus to the Worcester pool since Worcester producers would have only enough milk over their own market requirements to fill such sales during the flush production season.

Although the record of the reopened hearing indicates that there is some possibility that the Boston pool may receive double Class I sales in some instances in which milk was transferred from a Boston pool plant to a Worcester plant and then to a second Worcester plant from which sales were made in the Boston marketing area, the arguments for establishing equal cost of Class I milk regardless of the order source are more compelling than the avoidance of such a possibility. If the quantity of milk disposed of by Worcester handlers direct to consumers in the fringe territory of the Boston marketing area amounts to a considerable part of the sales in such territory at any time in the future, a reexamination of the area boundaries or a review of this decision to credit the Worcester pool with Class II value on such sales should be made.

Certain witnesses at the hearing contended that the present provisions of the Boston and Worcester orders give an unreasonable advantage to Boston producers and handlers at the expense of Worcester producers and handlers and they proposed that the order of treatment be reversed to the advantage of the Worcester producers and handlers. The record indicates, however, that the Worcester pool under this plan of assignment suffers no loss of Class I sales which Worcester producers could supply on a year around basis.

15. *Miscellaneous.* The present price computation provisions of each of the four Massachusetts Federal order markets operating under a market-wide type of pool should be revised to exclude from the current pool any handler who is in default of payments to the producer-settlement fund for the preceding month. The orders presently provide that any handler be excluded from the current pool if he is in default of such payments for any month since the most recent order amendment. Hence, the first month following each order amendment, all handlers filing reports for such month are pooled irrespective of the outstanding obligations of such handler. Under the provision, it is possible that a handler might owe considerable moneys to the settlement fund for past months, have no intention or ability to make current payments, and yet be pooled with the result that the solvency of the settlement fund is jeopardized. The language herein proposed is that commonly found in Federal orders with market pools and should serve to adequately protect the solvency of the settlement fund.

The other changes in order provisions herein proposed deal with nonsubstantive changes and are made merely as clarifying or conforming language changes which tend to provide uniformity in the language of the administrative provisions of the several orders.

General findings. (a) The proposed marketing agreements and the orders, now in effect, and as hereby proposed to be amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The proposed marketing agreements and the orders, now in effect, and as hereby proposed to be amended, regulate the handling of milk in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in marketing agreements upon which a hearing has been held; and

(c) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the respective marketing areas, and the minimum prices specified in the proposed marketing agreements and in the orders, now in effect, and as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk in each of said marketing areas, respectively, and be in the public interest.

Order of the secretary directing that referenda be conducted; determination of representative periods; and designation of agents to conduct such referenda. Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that referenda be conducted among producers (as defined in the orders regulating the handling of milk in the Boston, Lowell-Lawrence, Springfield, Worcester, and Fall River, marketing areas) who, with respect to Boston, during the month of March 1952, and with respect to Lowell-Lawrence, Springfield, Worcester, and Fall River, during the month of June 1952, were engaged in the production of milk for sale in the marketing areas specified in the aforesaid orders to determine whether such producers favor the issuance of the respective orders, amending the orders, now in effect, which are filed herewith.

In the case of Boston, the month of March 1952, and in the case of Lowell-Lawrence, Springfield, Worcester, and Fall River, the month of June 1952, is hereby determined to be the representative period for the conduct of such referenda.

In the case of Boston, Lowell-Lawrence, Worcester, and Springfield, Richard D. Aplin, and in the case of Fall River, John J. Hogan, is hereby designated agent of the Secretary to conduct such referenda in accordance with the procedure for the conduct of referenda to determine producer approval of milk

marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5179), such referenda to be completed on or before the 15th day from the date this decision is filed.

Marketing agreements and orders. Annexed hereto and made a part hereof are marketing agreements regulating the handling of milk in the Greater Boston, Lowell-Lawrence, Springfield, Worcester, and Fall River, Massachusetts, marketing areas, and orders amending the orders, now in effect, regulating the handling of milk in the Greater Boston, Lowell-Lawrence, Springfield, Worcester, and Fall River, Massachusetts, marketing areas, which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreements, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreements are identical with those contained in the respective orders now in effect, and as hereby proposed to be amended respectively by the attached orders which will be published with this decision.

This decision filed at Washington, D. C., this 5th day of August 1952.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

Order[1] Amending the Order, as Amended, Regulating the Handling of Milk in the Greater Boston, Massachusetts, Marketing Area

§ 904.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(4) All milk and milk products, handled by handlers, as defined in this order, as amended, and as hereby further amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expenses, 3 cents per hundredweight or such amount not exceeding 3 cents per hundredweight as the Secretary may prescribe with respect to all of his receipts of milk from producers (including such handler's own production) and his receipts of outside milk.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Greater Boston, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 904.1 (b) by adding the town of Bedford to the list of Massachusetts cities and towns included in the marketing area.

2. Amend § 904.2 by renumbering paragraphs (f) through (k) as paragraphs (g) through (l) respectively and by adding a new paragraph (f) as follows:

(f) "Association of producers" means any cooperative marketing association which the Secretary determines to be qualified pursuant to the provisions of the act of Congress of February 18, 1922, known as the "Capper-Volstead Act," and to be engaged in making collective sales or marketing of milk or its products for the producers thereof.

3. Delete § 904.4 (h) and substitute therefor the following:

(h) "Concentrated milk" means the concentrated, unsterilized milk product, resembling plain condensed milk, which is disposed of to consumers for human consumption in fluid form.

4. Delete § 904.15 and substitute therefor the following:

§ 904.15 *Classes of utilization.* All milk and milk products received by a handler shall be classified as Class I milk or Class II milk. Subject to §§ 904.16, 904.17, and 904.18, the classes of utilization shall be as follows:

(a) Class I milk shall be:

(1) All fluid milk products sold, distributed, or disposed of as or in milk;

(2) All fluid milk products sold, distributed, or disposed of for human consumption as or in flavored milk, skim milk, flavored or cultured skim milk, or buttermilk;

(3) Ninety-eight percent, by weight, of the fluid milk products used to produce concentrated milk; and

(4) All fluid milk products the utilization of which is not established as Class II milk.

(b) Class II milk shall be all fluid milk products the utilization of which is established:

(1) As being sold, distributed, or disposed of other than as specified in subparagraphs (1), (2), and (3) of paragraph (a) of this section; and

(2) As plant shrinkage, not in excess of 2 percent of the volume handled.

5. Delete § 904.16 and substitute therefor the following:

§ 904.16 *Classification of milk and milk products utilized at regulated plants of pool handlers and buyer-handlers.* Subject to §§ 904.17 and 904.29 (a), milk and milk products received at a regulated plant of any pool handler or buyer-handler shall be classified in accordance with their utilization at such plant.

6. Delete § 904.17 and substitute therefor the following:

§ 904.17 *Classification of fluid milk products, other than cream, moved to other plants.* Any fluid milk product, except cream, which is moved from a regulated plant of a pool handler or a buyer handler to any other plant shall be classified as follows:

(a) If moved to a producer-handler's plant or an unregulated plant, it shall be classified as Class I milk up to the total quantity of the same form of fluid milk products so moved which is utilized as Class I milk at that plant.

(b) If moved to a producer-handler's plant or to an unregulated plant and thence to another plant, it shall be classified by applying § 904.16 or paragraph (a) of this section, whichever is applicable, except that if the other plant to which such movement is made is located outside of the New England States and New York State, it shall be classified as Class I milk.

7. Revise § 904.29 (c) by inserting after the words "Skim milk" the words "in bulk."

8. Delete § 904.40 and substitute therefor the following:

§ 904.40 *Class I price.* The Class I price per hundredweight at plants located in the 201–210 mile zone shall be the New England basic Class I price per hundredweight determined for each month pursuant to § 904.48.

9. Add a new § 904.48 as follows:

NEW ENGLAND BASIC PRICE FORMULA

§ 904.48 *Computation of New England basic Class I price.* The New England basic Class I price per hundredweight of

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

milk containing 3.7 percent butterfat shall be determined for each month pursuant to this section. The latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations except that if the 25th day of the preceding month falls on a Sunday or legal holiday, the latest figures available on the next succeeding work day shall be used.

(a) Compute the economic index as follows:

(1) Divide by 1.143 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the years 1947–49 as the base period.

(2) Using the data on national and regional per capita income payments as published by the United States Department of Commerce, establish a "New England adjustment percentage" by computing the current percentage relationship of New England per capita income to the national per capita income. Multiply by the New England adjustment percentage the quarterly figure showing the current annual rate of per capita disposable personal income in the United States as released by the United States Department of Commerce or the Council of Economic Advisers to the President. Divide the result by 15.27 to determine an index of per capita disposable income in New England.

(3) Compute the simple average of the four latest weekly average retail prices per ton of dairy ration in the Boston milkshed as reported by the United States Department of Agriculture and divide the average by 0.884 to determine the dairy ration index. Compute the average, weighted by the indicated factors, of the following farm wage rates reported for the New England region by the United States Department of Agriculture: Rate per month with board and room, 1; rate per month with house, 1; rate per week with board and room, 4.33; rate per week without board or room, 4.33; and the rate per day without board or room, 26. Divide the average wage rate so computed by 1.458 to determine the wage rate index. Multiply the dairy ration index by 0.6 and the wage rate index by 0.4 and combine the two results to determine the grain-labor cost index.

(4) Divide by 3 the sum of the wholesale price index, the index of per capita disposable income in New England and the grain-labor cost index determined pursuant to this paragraph. The result shall be known as the economic index.

(b) Compute a supply-demand adjustment factor as follows:

(1) Combine into separate monthly totals the receipts from producers for Greater Boston, Lowell-Lawrence, Springfield, and Worcester and the Class I milk from producers for the same markets as announced by the respective market administrators in the statistical reports for such markets for the second and third months preceding the month for which the price is being computed.

(2) Divide the four-market total of Class I producer milk by the four-market total of receipts from producers for each of the two months for which computations were made pursuant to subparagraph (1) of this paragraph.

(3) Divide each of the percentages determined in subparagraph (2) of this paragraph into the following normal Class I percentage for the respective month, multiply each result by 100, and compute a simple average of the resulting percentages. The result shall be known as the percentage of normal supply.

	Normal class I percentage
January	76.9
February	73.9
March	65.3
April	57.7
May	51.6
June	50.7
July	61.6
August	70.1
September	70.7
October	73.4
November	82.0
December	77.8

(4) The supply-demand adjustment factor shall be the figure in the following table opposite the bracket under the normal supply column within which the percentage computed pursuant to subparagraph (3) of this paragraph falls. If the percentage falls in an interval between brackets, the applicable bracket shall be that above the interval in which the percentage falls if the adjustment for the previous month was determined by a bracket above such interval, and shall be determined by the bracket below such interval if the adjustment for the previous month was determined by a bracket below such interval. In determining the price for the first month in which this section is effective, the nearer bracket shall apply. The supply-demand adjustment factor shall not be less than .98 prior to the January 1953 price computation or less than .96 prior to the March 1953 price computation.

Percentage of normal supply:	*Supply-demand adjustment factor*
91.5 and under	1.12
92–92.5	1.10
93–93.5	1.08
94–94.5	1.06
95–96	1.04
97–98	1.02
99–101	1.00
102–103	.98
104–105	.96
106–107	.94
108–109	.92
110–111	.90
112 and over	.88

(c) The seasonal adjustment factor shall be the factor listed below for the month for which the price is being computed.

January and February	1.04
March	1.00
April	.92
May and June	.88
July	.96
August	1.00
September	1.04
October, November, and December	1.08

(d) Compute a New England basic Class I price index by multiplying the economic index determined pursuant to paragraph (a) of this section by the supply-demand adjustment factor determined pursuant to paragraph (b) of this section and multiplying the result by the applicable seasonal adjustment factor pursuant to paragraph (c) of this section.

(e) The New England basic Class I price shall be as shown in the following table:

New England basic Class I price index times $0.0561		Class I price
At least—	But less than—	
$4.88	$5.10	$4.99
5.10	5.32	5.21
5.32	5.54	5.43
5.54	5.76	5.65
5.76	5.98	5.87
5.98	6.20	6.09
6.20	6.42	6.31

If the New England basic Class I price index times $0.0561 is less than $4.88 or more than $6.42, the New England basic Class I price shall be determined by extending the table at the indicated rate of extension.

(f) Notwithstanding the provisions of the preceding paragraphs of this section, the New England basic Class I price for November or December of each year shall not be lower than such price for the immediately preceding month.

10. Amend § 904.51 (a) by deleting the phrase "for milk received during each month since the effective date of the most recent amendment of this subpart" and substitute therefor the phrase "for the preceding month."

11. Revise § 904.75 of the Boston order by deleting the present language and substituting therefor the following:

§ 904.75 *Deductions from payments to members.* (a) Each association of producers may file with a handler who is not an association of producers, a claim for authorized deductions from the payments otherwise due to its producer members for milk delivered to such handler. Such claim shall contain a list of the producers for which such deductions apply, an agreement to indemnify the handler in the making of the deductions, and a certification that the association has an unterminated membership contract with each producer listed authorizing the claimed deduction.

(b) In making payments to his producers for milk received during the month, each handler shall make deductions in accordance with the association's claim and shall pay the amount deducted to the association with an accompanying statement showing the pounds of milk delivered by each producer from whom the deduction was made, within 25 days after the end of the month.

Order[1] Amending the Order, as Amended, Regulating the Handling of Milk in the Lowell-Lawrence, Massachusetts, Marketing Area

§ 934.0 *Findings and determinations*—(a) *Findings upon the basis of the*

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Lowell-Lawrence, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 934.2 (e) by deleting the phrase "a dairy farmer who ordinarily delivers to a handler's pool plant" and substituting therefor "a dairy farmer with respect to his operation of a farm from which milk is ordinarily delivered to a handler's pool plant."

2. Delete § 934.4 (g) and substitute therefor the following:

(g) "Exempt milk" means milk which is received at a regulated plant:

(1) In bulk from an unregulated plant or from the dairy farmer who produced it, for processing and bottling and for which an equivalent quantity of packaged milk is returned to the dairy farmer or to the operator of the unregulated plant during the same month; or

(2) In packaged form from an unregulated plant in return for an equivalent quantity of bulk milk moved from a regulated plant for processing and bottling during the same month.

3. Delete § 934.4 (h) and substitute therefor the following:

(h) "Concentrated milk" means the concentrated, unsterilized milk product, resembling plain condensed milk, which is disposed of to consumers for human consumption in fluid form.

4. Amend § 934.12 by adding a new paragraph (g) as follows:

(g) Employ and fix the compensation of such persons as may be necesary to enable him to exercise his powers and perform his duties.

5. Delete paragraphs (a) and (b) of § 934.15 and substitute therefor the following:

(a) Class I milk shall be:

(1) All fluid milk products sold, distributed, or disposed of as or in milk.

(2) All fluid milk products sold, distributed, or disposed of for human consumption as or in flavored milk, skim milk, flavored or cultured skim milk, or buttermilk;

(3) Ninety-eight percent, by weight, of the fluid milk products used to produce concentrated milk; and

(4) All fluid milk products the utilization of which is not established as Class II milk.

(b) Class II milk shall be all fluid milk products the utilization of which is established:

(1) As being sold, distributed, or disposed of other than as specified in subparagraphs (1), (2), and (3) of paragraph (a) of this section; and

(2) As plant shrinkage, not in excess of 2 percent of the volume handled.

6. In § 934.16 (e), delete the words following the comma after the word "orders" and substitute therefor the following: "and thence to another plant, they shall be classified by applying the provisions of paragraphs (a) through (d) of this section, whichever is applicable except that if the other plant to which such movement is made is located outside of the New England States and New York State, they shall be classified as Class I milk."

7. Delete § 934.22 (a) and substitute:

(a) Each country receiving plant shall be a pool plant in any month in which more than 30 percent of its total receipts of fluid milk products, other than cream, after deducting Class I sales direct to consumers outside the marketing area, is disposed of directly to consumers in the marketing area as Class I milk or is shipped as milk to city plants at which more than 50 percent of the total receipts of fluid milk products, other than cream, is disposed of as Class I milk: *Provided*, That the quantity of fluid milk products, other than cream, disposed of in the marketing area as Class I milk, is at least 10 percent of its total receipts of fluid milk products other than cream.

8. Amend § 934.25 by inserting the word "bulk" before the words "skim milk" as they appear in paragraphs (c), (g), and (j).

9. Delete § 934.40 and substitute therefor the following:

§ 934.40 *Class I price at city plants.* The Class I price per hundredweight at city plants shall be the New England basic Class I price per hundredweight determined for each month pursuant to § 934.48 plus 52 cents: *Provided*, That the price shall be increased or decreased to the extent of any increase or decrease in the rail tariff for the transportation of milk in carlots in tank cars for mileage distances of 201–210 miles, inclusive, as published in the New England Joint Tariff M No. 6 and supplements thereto or revisions thereof. The adjustment shall be made to the nearest one-half cent per hundredweight, and shall be effective in the first complete month in which such increase or decrease in the rail tariff applies.

10. Add a new § 934.48 as follows:

NEW ENGLAND BASIC PRICE FORMULA

§ 934.48 *Computation of New England basic Class I price.* The New England basic Class I price per hundredweight of milk containing 3.7 percent butterfat shall be determined for each month pursuant to this section. The latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations except that if the 25th day of the preceding month falls on a Sunday or legal holiday, the latest figures available on the next succeeding work day shall be used.

(a) Compute the economic index as follows:

(1) Divide by 1.143 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the years 1947–49 as the base period.

(2) Using the data on national and regional per capita income payments as published by the United States Department of Commerce, establish a "New England adjustment percentage" by computing the current percentage relationship of New England per capita income to the national per capita income. Multiply by the New England adjustment percentage the quarterly figure showing the current annual rate of per capita disposable personal income in the United States as released by the United States Department of Commerce or the Council of Economic Advisers to the President. Divide the result by 15.27 to determine an index of per capita disposable income in New England.

(3) Compute the simple average of the four latest weekly average retail prices per ton of dairy ration in the Boston milkshed as reported by the United States Department of Agriculture and divide the average by 0.884 to determine the dairy ration index. Compute the average, weighted by the indicated factors, of the following farm wage rates reported for the New England region by the United States Department of Agriculture: Rate per month with board and room, 1; rate per month with house, 1; rate per week with board and room, 4.33; rate per week without board or room, 4.33; and the rate per day without board or room, 26. Divide the average wage rate so computed by 1.458 to determine the wage rate index. Multiply the dairy ration index by 0.6 and the wage rate index by 0.4 and combine the two

results to determine the grain-labor cost index.

(4) Divide by 3 the sum of the wholesale price index, the index of per capita disposable income in New England and the grain-labor cost index determined pursuant to this paragraph. The result shall be known as the economic index.

(b) Compute a supply-demand adjustment factor as follows:

(1) Combine into separate monthly totals the receipts from producers for Greater Boston, Lowell - Lawrence, Springfield, and Worcester and the Class I milk from producers for the same markets as announced by the respective market administrators in the statistical reports for such markets for the second and third months preceding the month for which the price is being computed.

(2) Divide the four-market total of Class I producer milk by the four-market total of receipts from producers for each of the two months for which computations were made pursuant to subparagraph (1) of this paragraph.

(3) Divide each of the percentages determined in subparagraph (2) of this paragraph into the following normal Class I percentage for the respective month, multiply each result by 100, and compute a simple average of the resulting percentages. The result shall be known as the percentage of normal supply.

	Normal Class I percentage
January	76.9
February	73.9
March	65.3
April	57.7
May	51.6
June	50.7
July	61.6
August	70.1
September	70.7
October	73.4
November	82.0
December	77.8

(4) The supply-demand adjustment factor shall be the figure in the following table opposite the bracket under the normal supply column within which the percentage computed pursuant to subparagraph (3) of this paragraph falls. If the percentage falls in an interval between brackets, the applicable bracket shall be that above the interval in which the percentage falls if the adjustment for the previous month was determined by a bracket above such interval, and shall be determined by the bracket below such interval if the adjustment for the previous month was determined by a bracket below such interval. In determining the price for the first month in which this section is effective, the nearer bracket shall apply. The supply-demand adjustment factor shall not be less than .98 prior to the January 1953 computation or less than .96 prior to the March 1953 price computation.

Percentage of normal supply:	*Supply-demand adjustment factor*
91.5 and under	1.12
92–92.5	1.10
93–93.5	1.08
94–94.5	1.06
95–96	1.04
97–98	1.02
99–101	1.00
102–103	.98
104–105	0.96
106–107	.94
108–109	.92
110–111	.90
112 and over	.88

(c) The seasonal adjustment factor shall be the factor listed below for the month for which the price is being computed.

January and February	1.04
March	1.00
April	.92
May and June	.88
July	.96
August	1.00
September	1.04
October, November, and December	1.08

(d) Compute a New England basic Class I price index by multiplying the economic index determined pursuant to paragraph (a) of this section by the supply-demand adjustment factor determined pursuant to paragraph (b) of this section and multiplying the result by the applicable seasonal adjustment factor pursuant to paragraph (c) of this section.

(e) The New England basic Class I price shall be as shown in the following table:

New England basic Class I price index times $0.0561		Class I price
At least—	But less than—	
$4.88	$5.10	$4.99
5.10	5.32	5.21
5.32	5.54	5.43
5.54	5.76	5.65
5.76	5.98	5.87
5.98	6.20	6.09
6.20	6.42	6.31

If the New England basic Class I price index times $0.0561 is less than $4.88 or more than $6.42, the New England basic Class I price shall be determined by extending the table at the indicated rate of extension.

(f) Notwithstanding the provisions of the preceding paragraphs of this section, the New England basic Class I price for November or December of each year shall not be lower than such price for the immediately preceding month.

11. In § 934.51 (a) delete the phrase "for milk received during each month since the effective date of the most recent amendment of this subpart" and substitute therefore the phrase "for the preceding month."

12. Revise § 934.51 by deleting paragraph (b) and renumbering paragraphs (c) through (f) as paragraphs (b) through (e), respectively.

13. In § 934.70, delete the period at the end of the section and substitute therefor the following: ", accompanied by a statement showing the pounds of milk delivered by each producer from whom the deduction was made."

Order[1] Amending the Order, as Amended, Regulating the Handling of Milk in the Fall River, Massachusetts, Marketing Area

§ 947.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Fall River, Massachusetts marketing area, shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 947.12 and substitute therefor the following:

§ 947.12 *Concentrated milk.* "Concentrated milk" means the concentrated, unsterilized milk product, resembling plain condensed milk, which is disposed of to consumers for human consumption in fluid form.

2. In § 947.41 delete paragraph (a) and subparagraph (1) of paragraph (b) and substitute therefor the following:

(a) Class I milk shall be all milk and milk products sold, distributed, or disposed of as milk which contains one half of 1 percent or more but less than 16 percent butterfat; chocolate or flavored whole milk or skim milk, skim milk, buttermilk, or cultured skim milk for human consumption; 98 percent, by weight, of the fluid milk products used to produce concentrated milk, and all fluid milk

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

products the utilization of which is not established as Class II.

(b) * * *

(1) Sold, distributed, or disposed of as other than the items specified in paragraph (a) of this section; and

3. Add a new § 947.48 as follows:

NEW ENGLAND BASIC PRICE FORMULA

§ 947.48 *Computation of New England basic Class I price.* The New England basic Class I price per hundredweight of milk containing 3.7 percent butterfat shall be determined for each month pursuant to this section. The latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations except that if the 25th day of the preceding month falls on a Sunday or legal holiday, the latest figures available on the next succeeding work day shall be used.

(a) Compute the economic index as follows:

(1) Divide by 1.143 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the years 1947–49 as the base period.

(2) Using the data on national and regional per capita income payments as published by the United States Department of Commerce, establish a "New England adjustment percentage" by computing the current percentage relationship of New England per capita income to the national per capita income. Multiply by the New England adjustment percentage the quarterly figure showing the current annual rate of per capita disposable personal income in the United States as released by the United States Department of Commerce or the Council of Economic Advisers to the President. Divide the result by 15.27 to determine an index of per capita disposable income in New England.

(3) Compute the simple average of the four latest weekly average retail prices per ton of dairy ration in the Boston milkshed as reported by the United States Department of Agriculture and divide the average by .884 to determine the dairy ration index. Compute the average, weighted by the indicated factors, of the following farm wage rates reported for the New England region by the United States Department of Agriculture: Rate per month with board and room, 1; rate per month with house, 1; rate per week with board and room, 4.33; rate per week without board or room, 4.33; and the rate per day without board or room, 26. Divide the average wage rate so computed by 1.458 to determine the wage rate index. Multiply the dairy ration index by 0.6 and the wage rate index by 0.4 and combine the two results to determine the grain-labor cost index.

(4) Divide by 3 the sum of the wholesale price index, the index of per capita disposable income in New England and the grain-labor cost index determined pursuant to this paragraph. The result shall be known as the economic index.

(b) Compute a supply-demand adjustment factor as follows:

(1) Combine into separate monthly totals the receipts from producers for Greater Boston, Lowell-Lawrence, Springfield, and Worcester and the Class I milk from producers for the same markets as announced by the respective market administrators in the statistical reports for such markets for the second and third months preceding the month for which the price is being computed.

(2) Divide the four-market total of Class I producer milk by the four-market total of receipts from producers for each of the two months for which computations were made pursuant to subparagraph (1) of this paragraph.

(3) Divide each of the percentages determined in subparagraph (2) of this paragraph into the following normal Class I percentage for the respective month, multiply each result by 100, and compute a simple average of the resulting percentages. The result shall be known as the percentage of normal supply.

	Normal class I percentage
January	76.9
February	73.9
March	65.3
April	57.7
May	51.6
June	50.7
July	61.6
August	70.1
September	70.7
October	73.4
November	82.0
December	77.8

(4) The supply-demand adjustment factor shall be the figure in the following table opposite the bracket under the normal supply column within which the percentage computed pursuant to subparagraph (3) of this paragraph falls. If the percentage falls in an interval between brackets, the applicable bracket shall be that above the interval in which the percentage falls if the adjustment for the previous month was determined by a bracket above such interval, and shall be determined by the bracket below such interval if the adjustment for the previous month was determined by a bracket below such interval. In determining the price for the first month in which this section is effective, the nearer bracket shall apply. The supply-demand adjustment factor shall not be less than 0.98 prior to the January 1953 price computation or less than 0.96 prior to the March 1953 price computation.

Percentage of normal supply:	*Supply-demand adjustment factor*
91.5 and under	1.12
92–92.5	1.10
93–93.5	1.08
94–94.5	1.06
95–96	1.04
97–98	1.02
99–101	1.00
102–103	.98
104–105	.96
106–107	.94
108–109	.92
110–111	.90
112 and over	.88

(c) The seasonal adjustment factor shall be the factor listed below for the month for which the price is being computed.

January and February	1.04
March	1.00
April	.92
May and June	.88
July	.96
August	1.00
September	1.04
October, November and December	1.08

(d) Compute a New England basic Class I price index by multiplying the economic index determined pursuant to paragraph (a) of this section by the supply-demand adjustment factor determined pursuant to paragraph (b) of this section and multiplying the result by the applicable seasonal adjustment factor pursuant to paragraph (c) of this section.

(e) The New England basic Class I price shall be as shown in the following table:

New England basic Class I price index times $0.0561		Class I price
At least—	But less than—	
$4.88	$5.10	$4.99
5.10	5.32	5.21
5.32	5.54	5.43
5.54	5.76	5.65
5.76	5.98	5.87
5.98	6.20	6.09
6.20	6.42	6.31

If the New England basic Class I price index times $0.0561 is less than $4.88 or more than $6.42, the New England basic Class I price shall be determined by extending the table at the indicated rate of extension.

(f) Notwithstanding the provisions of the preceding paragraphs of this section, the New England basic Class I price for November or December of each year shall not be lower than such price for the immediately preceding month.

4. Delete § 947.50 and substitute:

§ 947.50 *Class I prices.* Each handler shall pay producers or cooperative associations for Class I milk containing 3.7 percent butterfat delivered by them to plants located within 100 miles of the City Hall in Fall River, not less than the New England basic Class I price per hundredweight determined for the month pursuant to § 947.48 plus 81 cents: *Provided*, That the price shall be increased or decreased to the extent of any increase or decrease in the rail tariff for the transportation of milk in carlots in tank cars for mileage distances of 201–210 miles, inclusive, as published in the New England Joint Tariff M No. 6 and supplements thereto or revisions thereof. The adjustment shall be made to the nearest one-half cent per hundredweight, and shall be effective in the first complete month in which such increase or decrease in the rail tariff applies.

5. Amend § 947.72 by adding a sentence at the end of the section as follows: "Such payment shall be accompanied by a statement showing the pounds of milk delivered by each producer for whom such deduction was made."

Order[1] *Amending the Order, as Amended, Regulating the Handling of Milk in the Springfield, Massachusetts, Marketing Area*

§ 996.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Springfield, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Springfield, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 996.4 (g) and substitute therefor the following:

(g) "Concentrated milk" means the concentrated, unsterilized milk product, resembling plain condensed milk, which is disposed of to consumers for human consumption in fluid form.

2. Amend § 996.12 by adding a new paragraph (g) as follows:

(g) Employ and fix the compensation of such persons as may be necessary to enable him to exercise his powers and perform his duties.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

3. Delete paragraphs (a) and (b) of § 996.15 and substitute therefor the following:

(a) Class I milk shall be:

(1) All fluid milk products sold, distributed, or disposed of as or in milk.

(2) All fluid milk products sold, distributed, or disposed of for human consumption as or in flavored milk, skim milk, flavored or cultured skim milk, or buttermilk;

(3) Ninety-eight percent, by weight, of the fluid milk products used to produce concentrated milk; and

(4) All fluid milk products the utilization of which is not established as Class II milk.

(b) Class II milk shall be all fluid milk products the utilization of which is established:

(1) As being sold, distributed, or disposed of other than as specified in subparagraphs (1), (2), and (3) of paragraph (a) of this section; and

(2) As plant shrinkage, not in excess of 2 percent of the volume handled.

4. In § 996.16 (e) delete the words following the comma after the word "orders" and substitute therefor the following: "and thence to another plant, they shall be classified by applying the provisions of paragraphs (a) through (d) of this section, whichever is applicable, except that if the other plant to which such movement is made is located outside of the New England States and New York State, they shall be classified as Class I milk."

5. Amend § 996.25 by inserting the word "bulk" before the words "skim milk" as they appear in paragraphs (e), (g), and (j).

6. Delete § 996.40 and substitute therefor the following:

§ 996.40 *Class I price at city plants.* The Class I price per hundredweight at city plants shall be the New England basic Class I price per hundredweight determined for each month pursuant to § 996.48 plus 52 cents: *Provided*, That the price shall be increased or decreased to the extent of any increase or decrease in the rail tariff for the transportation of milk in carlots in tank cars for mileage distances of 201–210 miles, inclusive, as published in the New England Joint Tariff M No. 6 and supplements thereto or revisions thereof. The adjustment shall be made to the nearest one-half cent per hundredweight, and shall be effective in the first complete month in which such increase or decrease in the rail tariff applies.

7. Add a new § 996.48 as follows:

NEW ENGLAND BASIC PRICE FORMULA

§ 996.48 *Computation of New England basic Class I price.* The New England basic Class I price per hundredweight of milk containing 3.7 percent butterfat shall be determined for each month pursuant to this section. The latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations except that if the 25th day of the preceding month falls on a Sunday or legal holiday, the latest figures available on the next succeeding work day shall be used.

(a) Compute the economic index as follows:

(1) Divide by 1.143 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the years 1947–49 as the base period.

(2) Using the data on national and regional per capita income payments as published by the United States Department of Commerce, establish a "New England adjustment percentage" by computing the current percentage relationship of New England per capita income to the national per capita income. Multiply by the New England adjustment percentage the quarterly figure showing the current annual rate of per capita disposable personal income in the United States as released by the United States Department of Commerce of the Council of Economic Advisers to the President. Divide the result by 15.27 to determine an index of per capita disposable income in New England.

(3) Compute the simple average of the four latest weekly average retail prices per ton of dairy ration in the Boston milkshed as reported by the United States Department of Agriculture and divide the average by 0.884 to determine the dairy ration index. Compute the average, weighted by the indicated factors, of the following farm wage rates reported for the New England region by the United States Department of Agriculture: Rate per month with board and room, 1; rate per month with house, 1; rate per week with board and room, 4.33; rate per week without board or room, 4.33; and the rate per day without board or room, 26. Divide the average wage rate so computed by 1.458 to determine the wage rate index. Multiply the dairy ration index by 0.6 and the wage rate index by 0.4 and combine the two results to determine the grain-labor cost index.

(4) Divide by 3 the sum of the wholesale price index, the index of per capita disposable income in New England and the grain-labor cost index determined pursuant to this paragraph. The result shall be known as the economic index.

(b) Compute a supply-demand adjustment factor as follows:

(1) Combine into separate monthly totals the receipts from producers for Greater Boston, Lowell - Lawrence, Springfield, and Worcester and the Class I milk from producers for the same markets as announced by the respective market administrators in the statistical reports for such markets for the second and third months preceding the month for which the price is being computed.

(2) Divide the four-market total of Class I producer milk by the four-market total of receipts from producers for each of the two months for which computations were made pursuant to subparagraph (1) of this paragraph.

(3) Divide each of the percentages determined in subparagraph (2) of this paragraph into the following normal Class I percentage for the respective

month, multiply each result by 100, and compute a simple average of the resulting percentages. The result shall be known as the percentage of normal supply.

	Normal Class I percentage
January	76.9
February	73.9
March	65.3
April	57.7
May	51.6
June	50.7
July	61.6
August	70.1
September	70.7
October	73.4
November	82.0
December	77.8

(4) The supply-demand adjustment factor shall be the figure in the following table opposite the bracket under the normal supply column within which the percentage computed pursuant to subparagraph (3) of this paragraph falls. If the percentage falls in an interval between brackets, the applicable bracket shall be that above the interval in which the percentage falls if the adjustment for the previous month was determined by a bracket above such interval, and shall be determined by the bracket below such interval if the adjustment for the previous month was determined by a bracket below such interval. In determining the price for the first month in which this section is effective, the nearer bracket shall apply. The supply-demand adjustment factor shall not be less than 0.98 prior to the January 1953 computation or less than 0.96 prior to the March 1953 price computation.

Percentage of normal supply:	*Supply-demand adjustment factor*
91.5 and under	1.12
92–92.5	1.10
93–93.5	1.08
94–94.5	1.06
95–96	1.04
97–98	1.02
99–101	1.00
102–103	.98
104–105	.96
106–107	.94
108–109	.92
110–111	.90
112 and over	.88

(c) The seasonal adjustment factor shall be the factor listed below for the month for which the price is being computed.

January and February	1.04
March	1.00
April	.92
May and June	.88
July	.96
August	1.00
September	1.04
October, November, and December	1.08

(d) Compute a New England basic Class I price index by multiplying the economic index determined pursuant to paragraph (a) of this section by the supply-demand adjustment factor determined pursuant to paragraph (b) of this section and multiplying the result by the applicable seasonal adjustment factor pursuant to paragraph (c) of this section.

(e) The New England basic Class I price shall be as shown in the following table:

New England basic Class I price index times $0.0561		Class I price
At least—	But less than—	
$4.88	$5.10	$4.99
5.10	5.32	5.21
5.32	5.54	5.43
5.54	5.76	5.65
5.76	5.98	5.87
5.98	6.20	6.09
6.20	6.42	6.31

If the New England basic Class I price index times $0.0561 is less than $4.88 or more than $6.42, the New England basic Class I price shall be determined by extending the table at the indicated rate of extension.

(f) Notwithstanding the provisions of the preceding paragraphs of this section, the New England basic Class I price for November or December of each year shall not be lower than such price for the immediately preceding month.

8. In § 996.51 (a) delete the phrase "for milk received during each month since the effective date of the most recent amendment of this subpart" and substitute therefor the phrase "for the preceding month."

9. Amend § 996.64 (b) by inserting the words "and Suffield" the word "Stafford."

10. In § 996.71 delete the period at the end of the section and substitute therefore the following: ", accompanied by a statement showing the pounds of milk delivered by each producer from whom the deduction was made."

Order[1] Amending the Order as Amended, Regulating the Handling of Milk in the Worcester, Massachusetts, Marketing Area

§ 999.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Worcester, Massachusetts, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Worcester, Massachusetts, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 999.4 (g) and substitute therefor the following:

(g) "Concentrated milk" means the concentrated, unsterilized milk product, resembling plain condenced milk, which is disposed of to consumers for human consumption in fluid form.

2. Amend § 999.12 by adding a new paragraph (g) as follows:

(g) Employ and fix the compensation of such persons as may be necessary to enable him to exercise his powers and perform his duties.

3. Delete paragraphs (a) and (b) of § 999.15 and substitute therefor the following:

(a) Class I milk shall be:

(1) All fluid milk products sold, distributed, or disposed of as or in milk;

(2) All fluid milk products sold, distributed, or disposed of for human consumption as or in flavored milk, skim milk, flavored or cultured skim milk, or buttermilk;

(3) Ninety-eight percent, by weight, of the fluid milk products used to produce concentrated milk; and

(4) All fluid milk products the utilization of which is not established as Class II milk.

(b) Class II milk shall be all fluid milk products the utilization of which is established:

(1) As being sold, distributed, or disposed of other than as specified in subparagraphs (1), (2), and (3) of paragraph (a) of this section; and

(2) As plant shrinkage, not in excess of 2 percent of the volume handled.

4. In § 999.16 (e) delete the words following the comma after the word "orders" and substitute therefor the following: "and thence to another plant, they shall be classified by applying the provisions of paragraphs (a) through (d) of this section, whichever is applicable, except that if the other plant to which such movement is made is located outside of the New England States and

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

New York State, they shall be classified as Class I milk."

5. Amend § 999.25 by inserting the word "bulk" before the words "skim milk" as they appear in paragraphs (c), (g), and (j).

6. Delete § 999.40 and substitute therefore the following:

"§ 999.40 *Class I price at city plants.* The Class I price per hundredweight at city plants shall be the New England basic Class I price per hundredweight determined for each month pursuant to § 999.48 plus 52 cents: *Provided*, That the price shall be increased or decreased to the extent of any increase or decrease in the rail tariff for the transportation of milk in carlots in tank cars for mileage distances of 201–210 miles, inclusive, as published in the New England Joint Tariff M No. 6 and supplements thereto or revisions thereof. The adjustment shall be made to the nearest one-half cent per hundredweight, and shall be effective in the first complete month in which such increase or decrease in the rail tariff applies.

7. Add a new § 999.48 as follows:

NEW ENGLAND BASIC PRICE FORMULA

§ 999.48 *Computation of New England basic Class I price.* The New England basic Class I price per hundredweight of milk containing 3.7 percent butterfat shall be determined for each month pursuant to this section. The latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations except that if the 25th day of the preceding month falls on a Sunday or legal holiday, the latest figures available on the next succeeding work day shall be used.

(a) Compute the economic index as follows:

(1) Divide by 1.143 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the years 1947–49 as the base period.

(2) Using the data on national and regional per capita income payments as published by the United States Department of Commerce, establish a "New England adjustment percentage" by computing the current percentage relationship of New England per capita income to the national per capita income. Multiply by the New England adjustment percentage the quarterly figure showing the current annual rate of per capita disposable personal income in the United States as released by the United States Department of Commerce or the Council of Economic Advisers to the President. Divide the result by 15.27 to determine an index of per capita disposable income in New England.

(3) Compute the simple average of the four latest weekly average retail prices per ton of dairy ration in the Boston milkshed as reported by the United States Department of Agriculture and divide the average by .884 to determine the dairy ration index. Compute the average, weighted by the indicated factors, of the following farm wage rates reported for the New England region by the United States Department of Agriculture: Rate per month with board and room, 1; rate per month with house, 1; rate per week with board and room, 4.33; rate per week without board or room, 4.33; and the rate per day without board or room, 26. Divide the average wage rate so computed by 1.458 to determine the wage rate index. Multiply the dairy ration index by 0.6 and the wage rate index by 0.4 and combine the two results to determine the grain-labor cost index.

(4) Divide by 3 the sum of the wholesale price index, the index of per capita disposable income in New England and the grain-labor cost index determined pursuant to this paragraph. The result shall be known as the economic index.

(b) Compute a supply-demand adjustment factor as follows:

(1) Combine into separate monthly totals the receipts from producers for Greater Boston, Lowell-Lawrence, Springfield, and Worcester and the Class I milk from producers for the same markets as announced by the respective market administrators in the statistical reports for such markets for the second and third months preceding the month for which the price is being computed.

(2) Divide the four-market total of Class I producer milk by the four-market total of receipts from producers for each of the two months for which computations were made pursuant to subparagraph (1) of this paragraph.

(3) Divide each of the percentages determined in subparagraph (2) of this paragraph into the following normal Class I percentage for the respective month, multiply each result by 100, and compute a simple average of the resulting percentages. The result shall be known as the percentage of normal supply.

	Normal Class I percentage
January	76.9
February	73.9
March	65.3
April	57.7
May	51.6
June	50.7
July	61.6
August	70.1
September	70.7
October	73.4
November	82.0
December	77.8

(4) The supply-demand adjustment factor shall be the figure in the following table opposite the bracket under the normal supply column within which the percentage computed pursuant to subparagraph (3) of this paragraph falls. If the percentage falls in an interval between brackets, the applicable bracket shall be that above the interval in which the percentage falls if the adjustment for the previous month was determined by a bracket above such interval, and shall be determined by the bracket below such interval if the adjustment for the previous month was determined by a bracket below such interval. In determining the price for the first month in which this section is effective, the nearer bracket shall apply. The supply-demand adjustment factor shall not be less than .98 prior to the January 1953 computation or less than .96 prior to the March 1953 price computation.

Percentage of normal supply:	*Supply-demand adjustment factor*
91.5 and under	1.12
92–92.5	1.10
93–93.5	1.08
94–94.5	1.06
95–96	1.04
97–98	1.02
99–101	1.00
102–103	.98
104–105	.96
106–107	.94
108–109	.92
110–111	.90
112 and over	.88

(c) The seasonal adjustment factor shall be the factor listed below for the month for which the price is being computed.

January and February	1.04
March	1.00
April	.92
May and June	.88
July	.96
August	1.00
September	1.04
October, November, and December	1.08

(d) Compute a New England basic Class I price index by multiplying the economic index determined pursuant to paragraph (a) of this section by the supply-demand adjustment factor determined pursuant to paragraph (b) of this section and multiplying the result by the applicable seasonal adjustment factor pursuant to paragraph (c) of this section.

(e) The New England basic Class I price shall be as shown in the following table:

New England basic Class I price index times $0.0501		Class I price
At least—	But less than—	
$4.88	$5.10	$4.99
5.10	5.32	5.21
5.32	5.54	5.43
5.54	5.76	5.65
5.76	5.98	5.87
5.98	6.20	6.09
6.20	6.42	6.31

If the New England basic Class I price index times $0.0501 is less than $4.88 or more than $6.42, the New England basic Class I price shall be determined by extending the table at the indicated rate of extension.

(f) Notwithstanding the provisions of the preceding paragraphs of this section, the New England basic Class I price for November or December of each year shall not be lower than such price for the immediately preceding month.

8. Amend § 999.50 by adding a new paragraph (g) as follows:

(g) Subtract any amount which the handler is required to pay on such milk pursuant to § 904.66 (b) of the Boston order.

9. Amend § 999.51 (a) by deleting the phrase "for milk received during each month since the effective date of the most recent amendment of this subpart" and substitute therefor the phrase "for the preceding month."

10. In § 999.71 delete the period at the end of the section and substitute therefor

the following: ", accompanied by a statement showing the pounds of milk delivered by each producer from whom the deduction was made."

[F. R. Doc. 52-8847; Filed, Aug. 8, 1952; 8:54 a. m.]

[7 CFR Part 932]

[Docket No. AO-33—A-20]

HANDLING OF MILK IN FORT WAYNE, INDIANA, MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that a public hearing will be held on proposed amendments to the tentative marketing agreement and to the order, as amended regulating the handling of milk in the Fort Wayne, Indiana, marketing area, beginning at 10:00 a. m., c. d. t., on August 13, 1952, in the American Room, Y. M. C. A., 226 East Washington Boulevard, Fort Wayne, Indiana. Evidence will be received on the proposed amendments set forth below, or appropriate modifications thereof, and the economic and market conditions which relate thereto. These proposed amendments have not received the approval of the Secretary of Agriculture.

Proposed by Wayne Cooperative Milk Producers, Inc.:

1. Delete § 932.51 (a) and substitute therefor the following:

(a) Add:

(1) 80¢ during each of the delivery periods of April, May, and June;

(2) $1.65 during each of the delivery periods of October, November, and December;

(3) $1.20 during each of the other delivery periods.

2. Amend § 932.51 (b) (3) by deleting the numbers —38, —50, —50, —50, —50, —50 and substituting therefor —26, —26, —26, —26, —26, —26 in the column headed "April, May, June, and July (Cents)" under the general heading "Supply-demand adjustment for specified delivery periods, is."

Proposed by Central Dairy, Inc.:

3. Add to the proviso in § 932.84, the words "Producer and other source milk so treated shall be limited to the total of producer milk received by the plant paying the producer for such milk."

Additional evidence will also be received at this hearing on all of the proposals considered at the hearing held in Fort Wayne on May 5, 1952, notice of which was issued on April 29, 1952 (17 F. R. 3859).

Copies of this notice of hearing and of the notice of the hearing held on May 5, 1952, and of the order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area may be procured from the Market Administrator, 407 Strauss Building, Fort Wayne 2, Indiana, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: August 6, 1952.

[SEAL] ROY W. LENNARTSON, *Assistant Administrator.*

[F. R. Doc. 52-8866; Filed, Aug. 8, 1952; 8:57 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Geological Survey

NEW MEXICO

DEFINITIONS OF KNOWN GEOLOGIC STRUCTURES OF PRODUCING OIL AND GAS FIELDS

Former paragraph (c) of § 227.0, Part 227, Title 30, Chapter II, Code of Federal Regulations (1947 Supp.), codification of which has been discontinued by a document published in Part II of the FEDERAL REGISTER dated December 31, 1948, is hereby supplemented by the addition of the following list of structures defined effective as of the dates shown:

(5) NEW MEXICO

Name of Field, Effective Date, and Acreage	
Anderson Field (revision), July 10, 1952	2,749
Bagley Field, Mar. 1, 1952	3,361
Denton Field, Apr. 24, 1952	4,277
East Caprock Field, Apr. 25, 1952	1,120
Forest Field, July 10, 1952	1,879
Hightower Field, Mar. 28, 1952	1,200
Levers Field, July 10, 1952	160
North Maljamar Field (revision), Oct. 10, 1950	960
South High Lonesome Field (revision), July 10, 1952	517
Square Lake-Robinson Field (revision and consolidation), July 8, 1952	15,688

W. E. WRATHER, *Director.*

[F. R. Doc. 52-8773; Filed, Aug. 8, 1952; 8:45 a. m.]

Office of the Secretary

[Order 2509, Amdt. 16]

DELEGATIONS OF AUTHORITY; GENERAL

Correction

In F. R. Doc. 52-8070, appearing at page 6793 of the issue for Thursday, July 24, 1952, make the following change:

In the last line of section 26, the word "interstate" should read "intestate".

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[Amdt. 9]

ORGANIZATION AND FUNCTIONS

MISCELLANEOUS AMENDMENTS

In accordance with the public information requirements of the Administrative Procedure Act, the description of Organization and Functions of the Civil Aeronautics Administration is hereby amended.

Items 1 and 10 provide for Aviation Safety reorganization. Item 10 also brings up to date the locations of Aviation Safety District Offices.

Items 2, 7, and 8 provide for the realignment of air traffic control and communications functions in the Federal Airways System.

Item 3 adds to the Office of Aviation Defense Requirements the newly established Aviation Resources Division.

Items 4 and 5 give the revised addresses of the Region 3 and Region 9 headquarters offices.

Items 6 and 9 provide for organizational changes in Region 9, namely, the establishment of Budget and Management, Personnel, General Services, and Facilities Divisions.

Item 11 describes the Alaska Air Terminals Division in Region 8.

Item 12 brings up to date the locations of district and field offices of the International Region.

1. Section 33 is amended to read:

SEC. 33. *Office of Aviation Safety*—(a) *Functions.* (1) Develops new and currently modified Civil Air Regulations dealing with the technical regulation and improvement of aviation safety, and recommends them for approval by the Administrator and for promulgation by the Civil Aeronautics Board.

(2) Develops technical publications for the use of the public, and technical standards, manuals, and directives to guide the activities of CAA Washington and field personnel in the technical regulation and improvement of aviation safety.

(3) Develops and recommends to the Administrator new and currently modified nation-wide programs and objectives to govern CAA activities in the technical regulation and improvement of aviation safety.

(4) Develops and recommends or approves new and currently modified policies and procedures for nation-wide application in the technical regulation and improvement of aviation safety, with authority to approve finally those policies and procedures which do not have major program, policy, precedent,

or public relations impacts, in the perspective of the total program of CAA.

(5) Conducts or supervises centrally the engineering work on power plant type certification and approval of the vibration characteristics of installed power plants; operates systems for the central registration of aircraft, airmen, and air agencies; conducts or supervises centrally documentary and laboratory research and development work in medicine, physiology, psychology and related sciences as applied to aviation.

(6) Evaluates the need for, recommends, maintains liaison with, and as appropriate participates in pertinent research, development and testing projects of the Technical Development and Evaluation Center and other organizations.

(7) Develops and recommends the CAA position on matters involving the technical regulation and improvement of aviation safety for consideration by the Air Coordinating Committee, ICAO, or other national and international groups; and provides technical assistance or representation in such groups, as assigned.

(8) Provides technical assistance and advice on the technical regulation and improvement of aviation safety to the Office of the Administrator, other CAA offices, and other organizations, as appropriate.

NOTE: As used in this section, the term "the technical regulation and improvement of aviation safety" applies to the examination, certification, inspection, and improvement of: the design, manufacture, and maintenance of aircraft and aircraft components; the competency and physical fitness of airmen; and the flight operations and technical facilities of air carriers, other aircraft operators, airman schools, and other air agencies.

(b) *Subordinate offices.*

Executive Staff Division.
Technical Staff Division.
Air Carrier Safety Division.
Aircraft Engineering Division.
General Safety Division.
Medical Division.

2. Section 34 (b) is amended by deleting "Communications Division" and "Air Traffic Control Division" and by adding "Airways Operations Division."

3. Section 36 (b) is amended by adding a new office at the end to read:

Aviation Resources Division.

4. Section 42 (c) (1) is amended to read:

185 North Wabash Avenue, Chicago 1, Ill.

5. Section 42 (i) (1) is amended to read:

Hawaiian Life Insurance Building, Kapiolani Boulevard and Piikoi Street, Honolulu, T. H.

6. Section 43 (d) (3) is amended to read:

(3) *Regions 8 and 9.* In Region 8 there is also a Transportation Branch and an Alaska Supply Branch (located in Seattle, Wash.); there is no Project Audit Branch. In Region 9 these functions are performed by a Budget and Management Division, a Personnel Division, and a General Services Division.

7. Section 43 (e) (1) is amended to read:

(e) *Airways Operations Division*—(1) *Functions.* Operates the air traffic control and aeronautical communications system in the region.

Trains supervisors and employees engaged in traffic control and communications activities.

Inspects and evaluates Airways Operations activities in the interest of effective program execution.

Provides staff assistance to the Office of the Regional Administrator on matters pertaining to air traffic control and aeronautical communications in the region.

Conducts studies for the improvement and implementation of the Airways Operations program in the region.

Evaluates policies, operating methods, and procedures issued by the Washington Office of Federal Airways and recommends any necessary modifications on the basis of field experience.

Maintains liaison with military agencies to ensure coordination between the regional Airways Operations services and military facilities in the interest of national defense.

Collaborates with the Facilities Division in the development of over-all policies and program plans for a coordinated Federal Airways program in the region.

Cooperates with the Aviation Safety Division in the interest of coordinated Airways Operations and Aviation Safety activities.

Maintains liaison with other agencies, representatives of the aviation industry, and others with respect to air traffic control and communications services.

8. Section 43 (e) (2) is amended to read:

(2) *Subordinate offices.*

Technical Services and Planning Branch.
Air Defense Liaison Branch (except Region 9).
Program Requirements Branch.
Facility Operations Branch:
  Air Route Traffic Control Centers.
  Airport Traffic Control Towers.
  Interstate Airway Communications Stations.
  Overseas Foreign Aeronautical Communications Stations.

9. Section 43 (f) (3) is amended to read:

(3) *Regions 8 and 9.* In Region 8 the functions of this division are performed by a Plant and Structures Division, an Electronics Division, and an Airways Flight Inspection Division. In Region 9 these functions are performed by a Facilities Division and a Flight Inspection Division.

10. Section 43 (h) is amended to read:

(h) *Aviation Safety Division*—(1) *Functions.* Provides staff assistance to the Office of the Regional Administrator in the administration of the regional Aviation Safety program.

Directs and coordinates the regional Aviation Safety programs, including all such activities relating to airmen, aircraft, air agencies, fixed base operators, air carriers, and other operations that are specifically assigned to the Region.

Directs and conducts the medical examination and evaluation activities of the Region.

Develops regional Aviation Safety work programs in accordance with policies and objectives established by Washington and Regional Administrator.

Coordinates division activities with other divisions and with agencies and responsible individuals outside the Civil Aeronautics Administration, as necessary.

Participates with the Assistant to the Regional Administrator in planning field programs for the fostering of aviation, personal flying, and aviation education.

Plans and administers regional programs of training and proficiency flying for Aviation Safety personnel.

Recommends the establishment or discontinuance of Aviation Safety District Offices, and directs and coordinates their activities.

(2) *Subordinate offices.*

Air Carrier Safety Branch.
Aircraft Engineering Branch.
General Safety Branch.
Aviation Safety District Offices.

(3) *Regions 8 and 9.* In Region 8 the subordinate offices are a Flight Operations Branch, an Airman Standards Branch, a Maintenance Inspection Branch, and three Aviation Safety District Offices. This division has no subordinate offices in Region 9.

(4) *Aviation Safety District Offices*—(i) *Functions.* These offices, each under the supervision of a Supervising Agent and manned by Aviation Safety Agents, serve as a contact point with the general public and designated industry representatives. The offices are responsible for the initial handling of all matters dealing with the aeronautical competency of airmen, air agencies, and air carriers; the airworthiness of aircraft and components; the compliance with rules and standards governing flight operations; the investigation of accidents and violations; and the promotion of safe flying and the maintenance of close liaison with state and local enforcement agencies.

Those offices designated by a (G) specialize in Aviation Safety activities relating to air agencies, general operators (operators of aircraft other than: scheduled air carriers, irregular air carriers operating aircraft having a maximum certificated gross take-off weight of more than 12,500 pounds, and commercial operators which are certificated under Part 45 of the Civil Air Regulations), general aircraft in service (aircraft of general operators), general airmen (all persons who hold or are eligible for airmen certificates other than: airline transport pilot, airport control tower operator, dispatcher, or air crewman), and other general aviation activities.

Those offices designated by a (C) specialize in Aviation Safety activities relating to air carrier operations (operations of scheduled air carriers, irregular air carriers operating aircraft having a maximum certificated gross take-off weight of more than 12,500 pounds, and

commercial operators which are certificated under Part 45 of the Civil Air Regulations), air carrier aircraft in service (aircraft of air carriers, as defined herein), air carrier airmen (persons who hold or are candidates for certificates as airline transport pilot, airport control tower operator, dispatcher, or air crewman), and related air carrier activities.

Those offices designated by an (F) are usually located at factories and other locations convenient to the aviation manufacturing industry, and specialize in aircraft engineering and manufacturing inspection, including matters pertaining to the type, production, and original airworthiness of new or modified aircraft and components, and to service difficulties.

Those offices with more than one specialty are designated by a combination of the letters F, C, and G. All offices are generally familiar with and can furnish information and advice on aviation safety matters outside their area of specialization.

(ii) *Locations.*

NOTE: Mail should be addressed as in this example—CAA Aviation Safety District Office 1–27, Room 202, Administration Building, Municipal Airport, Newark, N. J.

REGION 1

State	City	No.	Address	Specialty
Connecticut	Bridgeport	1-22	% Sikorsky Aircraft Corp.	(F)
	Windsor Locks	1-23	% Kaman Aircraft Corp., National Guard Hangar.	(F)
Delaware	New Castle	1-26	% Bellanca Aircraft Corp.	(F)
District of Columbia	Washington	1-19	Hangar Six, Washington National Airport	(C)
Maine	Portland	1-30	Municipal Airport	(G)
Maryland	Baltimore	1-29	Terminal Bldg., Municipal Airport	(G)
	Middle River	1-25	% Glenn Martin Co. (19), "B" Bldg. Balcony	(F)
Massachusetts	East Boston	1-20	287 Marginal St.	(C)
	Norwood	1-15	Municipal Airport	(G)
	Westfield	1-13	P. O. Box 215, Barnes Westfield Airport	(G)
New Hampshire	Concord	1-14	Municipal Airport	(G)
New Jersey	Camden	1-16	Central Airport	(G)
	Newark	1-27	Room 202, Administration Bldg., Municipal Airport.	(C)
	Teterboro	1-17	Teterboro Air Terminal	(C)
New York	Buffalo	1-9	Municipal Airport	(G)
	Lindenhurst	1-1	Zahn's Airport, North Wellwood Ave.	(G)
	Long Island	1-18	LaGuardia Field, Box 575, Terminal Bldg., Jackson Heights.	(C)
	do	1-28	International Airport, Room 102, Federal Bldg., Jamaica.	(F)
	do	1-31	International Airport, Room 103, Federal Bldg., Jamaica.	(C)
	Rochester	1-10	Municipal Airport	(G)
	Syracuse	1-11	Hancock Field	(G)
	Watervliet	1-12	Albany Airport	(G)
Pennsylvania	Allentown	1-5	Allentown-Bethlehem-Easton Airport	(G)
	New Cumberland	1-6	Harrisburg State Airport	(G)
	Pittsburgh	1-8	Allegheny County Airport	(G)
	Williamsport	1-24	% Lycoming Division Aviation Corp.	(F)
Virginia	Alexandria	1-2	Beacon Field, 2013 Richmond Highway	(G)
	Roanoke	1-4	Woodrum Field	(G)
	Sandston	1-3	P. O. Box 266, Byrd Field	(G)
West Virginia	Clarksburg	1-7	P. O. Box 1448, Benedum Airport	(G)

REGION 2

State	City	No.	Address	Specialty
Alabama	Birmingham	2-2	Municipal Airport	(G)
	Mobile (Springhill)	2-10	Box 73, Route 5	(G)
Florida	Jacksonville	2-6	430 Lynch Bldg.	(G)
	Miami	2-8	P. O. Box 226, International Airport Branch	(CG)
	Orlando	2-14	P. O. Box 2511, Municipal Airport	(G)
	Tampa	2-12	P. O. Box 2112, Peter O. Knight Airport	(G)
Georgia	Atlanta	2-1	P. O. Box 738, Municipal Airport	(GC)
Mississippi	Jackson	2-5	P. O. Box 1727, Army Air Base	(G)
North Carolina	Charlotte	2-3	1315 Independence Bldg.	(G)
	Raleigh	2-11	P. O. Box 1858, 1202 Insurance Bldg.	(G)
	Winston-Salem	2-15	P. O. Box 2066, Smith-Reynolds Airport	(C)
Puerto Rico	San Juan	2-16	P. O. Box 4764, Isla Grande Airport	(C)
South Carolina	West Columbia	2-4	P. O. Box 385	(G)
Tennessee	Memphis	2-7	2688 Winchester	(GC)
	Nashville	2-9	Berry Field	(G)

REGION 3

State	City	No.	Address	Specialty
Illinois	Chicago	3-1	6033 South Central Avenue	(G)
	do	3-20	do	(C)
	Elmhurst	3-11	Administration Bldg., Elmhurst Airport, Lake St. and Route 83.	(G)
	Monsanto	3-17	Monsanto Post Office	(G)
	Springfield	3-7	P. O. Box 197	(G)
Indiana	Indianapolis	3-5	Weir Cook Municipal Airport	(G)
	South Bend	3-18	St. Joseph County Airport, Bendix Field	(G)
Kentucky	Louisville	3-9	Bowman Field, Administration Bldg.	(G)
Michigan	Grand Rapids	3-10	Kent County Airport	(G)
	Inkster	3-3	Detroit-Wayne Major Airport, Administration Bldg.	(GF)
	Muskegon	3-23	P. O. Box 538	(F)
Minnesota	Minneapolis	3-2	Weld-Chamberlain Field, Box 1, Administration Bldg.	(G)
	do	3-21	Weld-Chamberlain Field, Administration Bldg.	(C)
	Rochester	3-16	Rochester Airport	(G)
North Dakota	Bismarck	3-14	Municipal Airport, P. O. Box 156	(G)
	Fargo	3-15	621 1st Ave., 209 North Walker Bldg.	(G)
Ohio	Akron	3-24	Akron Municipal Airport, 1800 Triplett Blvd.	(F)
	Cincinnati	3-6	Lunken Airport, Administration Bldg.	(G)
	Cleveland	3-4	6200 Rocky River Dr., Municipal Airport	(G)
	Columbus	3-12	Room 220-223, Administration Bldg., Port Columbus Airport.	(G)
	Middletown	3-22	Aeronca Manufacturing Corp.	(F)
	Walbridge	3-13	Toledo Municipal Airport, Box 283	(G)
Wisconsin	Milwaukee	3-8	General Mitchell Field, R. R. 2	(G)
	Wausau	3-19	125 West Washington St.	(G)

REGION 4

State	City	No.	Address	Specialty
Arkansas	Little Rock	4-6	P. O. Box 426	(G)
Louisiana	New Orleans	4-13	P. O. Box 8147, Gentille Station, New Orleans Airport.	(G)
	Shreveport	4-9	Administration Bldg., Municipal Airport, P. O. Box 86.	(G)
New Mexico	Albuquerque	4-2	1229 South Yale	(G)
Oklahoma	Bethany	4-19	% Aero Design & Engineering Co., P. O. Box 118.	(F)
	Oklahoma City	4-7	P. O. Box 3158, Farley Station, Municipal Airport.	(G)
	Tulsa	4-10	P. O. Box 8188, Municipal Airport	(G)
Texas	Amarillo	4-3	P. O. Box 2305, Amarillo Air Terminal	(G)
	Brownsville	4-12	Airport Branch Post Office	(G)
	Dallas	4-4	241 Terminal Bldg., Love Field	(GF)
	do	4-16	244 Terminal Bldg., Love Field	(C)
	El Paso	4-11	El Paso International Airport	(G)
	Fort Worth	4-1	P. O. Box 1989, Meacham Field	(G)
	do	4-15	do	(C)
	Fort Worth (Hurst)	4-18	% Bell Aircraft Corp., P. O. Box 482	(F)
	Houston	4-5	2d Floor, National Guard Hangar, Municipal Airport.	(G)
	do	4-17	do	(C)
	San Antonio	4-8	Route 10, Box 289, San Antonio Airport	(G)
	Terminal (Midland)	4-16	Midland Air Terminal, P. O. Box 198	(G)

REGION 5

State	City	No.	Address	Specialty
Colorado	Denver	5-7	CAA District Office Bldg., Stapleton Airfield	(GC)
	Grand Junction	5-14	P. O. Box 1096, Walker Field	(G)
Iowa	Cedar Rapids	5-12	P. O. Box 1907, Municipal Airport	(G)
	Des Moines	5-3	Municipal Airport	(G)
Kansas	Dodge City	5-11	P. O. Box 556, Municipal Airport	(GC)
	Kansas City	5-1	3d Floor, Administration Bldg., Fairfax Airport	(G)
	Wichita	5-6	222 East Elm St.	(F)
	do	5-21	% Beech Aircraft Corp.	(F)
	do	5-22	222 East Elm St.	(F)
	do	5-23	% Cessna Aircraft Co.	(G)
Missouri	Springfield	5-10	P. O. Box 486, Municipal Airport	(GC)
	St. Louis	5-2	Administration Bldg., Lambert Field-St. Louis Airport, Box 127.	(G)
Nebraska	Lincoln	5-5	P. O. Box 1748, Terminal Bldg., Municipal Airport.	(G)
	North Platte	5-13	P. O. Box 581, Dixon Bldg., 516½ Davey St.	(C)
	Omaha	5-9	Sunderland Bldg., 403 South 15th St.	

REGION 5—Continued

State	City	No.	Address	Specialty
South Dakota	Huron	5-8	P. O. Box 96, Municipal Airport	(G)
	Rapid City	5-15	Municipal Airport	(G)
Wyoming	Cheyenne	5-4	Municipal Airport, 3801 Evans Ave	(G)

REGION 6

Arizona	Phoenix	6-11	Sky Harbor Airport, P. O. Box 992	(G)
California	Burbank	6-3	Hangar No. 4, Lockheed Air Terminal	(C)
	do	6-23	% Lockheed Aircraft Corp., Plant A-1, Bldg. 19.	(F)
	Fresno	6-5	Fresno Air Terminal, P. O. Box 591	(G)
	Long Beach	6-8	Administration Bldg., Municipal Airport	(G)
	Los Angeles	6-1	5651 West Manchester Ave	(G)
	do	6-16	do	(C)
	do	6-24	% McCulloch Motors Corp., Helicopter Division, 9775 Airport Blvd.	(F)
	Oakland	6-2	Municipal Airport	(G)
	Palo Alto	6-9	P. O. Box 1240, Municipal Airport	(G)
	do	6-25	% Hiller Helicopters, 1350 Willow Rd., P. O. Box 1280.	(F)
	Ontario	6-6	Administration Bldg., Ontario International Airport.	(G)
	Sacramento	6-4	Municipal Airport	(G)
	San Diego	6-10	Administration Bldg., Lindbergh Field	(G)
	do	6-21	% Consolidated-Vultee Aircraft Corp., Bldg. 33, Lindbergh Field.	(F)
	Santa Monica	6-22	% Douglas Aircraft Co., Inc., 3000 Ocean Park Blvd.	(F)
	South San Francisco	6-17	International Terminal Bldg., Room 301, c/o Pan American Airways.	(C)
Nevada	Las Vegas	6-15	Administration Bldg., McCarran Field, P. O. Box 1752.	(G)
	Reno	6-12	328 Gazette Bldg., P. O. Box 409	(G)
Utah	Salt Lake City	6-7	Municipal Airport No. 1	(G)

REGION 7

Idaho	Boise	7-6	1412 Idaho St	(G)
Montana	Billings	7-8	208 Stapleton Bldg	(G)
	Helena	7-7	P. O. Box 1167, Municipal Airport	(G)
Oregon	Eugene	7-3	23 West 6th St	(G)
	Portland	7-2	Service Office Bldg., 5410 Northeast Marine Dr.	(G)
Washington	Seattle	7-1	P. O. Box 18, Boeing Field	(GC)
	do	7-9	P. O. Box 17, Boeing Field	(F)
	do	7-10	P. O. Box 3107	(F)
	Spokane (Parkwater)	7-5	Felts Field, P. O. Box 26	(G)
	Yakima	7-4	2300 West Washington Ave	(G)

REGION 8

Alaska	Anchorage	8-1	Merrill Field, Communications Bldg., P. O. Box 440.	(GC)
	Fairbanks	8-2	Wien-Alaska Airlines Hangar, Weeks Field, P. O. Box 790.	(G)
	Juneau	8-3	McKinley Bldg., P. O. Box 2449	(G)

11. Section 43 (i) is amended to read:

(i) *Alaska Air Terminals Division (Region 8)*—(1) *Functions.* Provides staff assistance to the Regional Administrator with respect to the protection, operation, improvement, and maintenance of CAA airports at Anchorage and Fairbanks; and the planning and provision of facilities of a commercial nature at all airports operated by the Region.

12. Section 44 (c) (2) is amended to read:

(2) *Location*—(i) *CAA International District Offices.*

Fort Worth CAA International District Office, CAA Reservation, Haslet Road, Fort Worth, Tex. (P. O. Box 1689).

Kansas City CAA International District Office, Administration Building, Fairfax Airport, Kansas City, Kans.

Miami CAA International District Office, 656 East Drive, Miami Springs, Fla. (P. O. Box 234, Miami 48, Fla.).

Minneapolis CAA International District Office, Administration Building, Wold-Chamberlain Field, Minneapolis, Minn.

New York CAA International District Office, Federal Building-New York International Airport, Jamaica, Long Island, N. Y.

San Francisco CAA International District Office, Rooms 101-105, International Terminal Building, San Francisco Municipal Airport, South San Francisco, Calif. (P. O. Box 629, South San Francisco, Calif.).

(ii) *CAA International Field Offices.*

Balboa CAA International Field Office, Room 301, Civil Affairs Building, Ancon, Canal Zone (P. O. Box J, Balboa Heights, C. Z.).

Bangkok CAA International Field Office, c/o United States Embassy, 125 Sathorn Road, Bangkok, Thailand.

Beirut CAA International Field Office, c/o American Legation, TCA Building, Beirut, Lebanon.

Buenos Aires CAA International Field Office, Florida 935, 2C, Buenos Aires, Argentina (c/o United States Embassy, Avda. R. S. Pena 567, Buenos Aires, Argentina).

Lima CAA International Field Office, Corpac Terminal Building-Limatambo Airport, c/o United States Embassy, Lima, Peru.

London CAA International Field Office, c/o United States Embassy, No. 1 Grosvenor Square, London, England.

Manila CAA International Field Office, Seafront Compound, Manila, P. I. (c/o United States Embassy, A. P. O. 928, c/o Postmaster, San Francisco, Calif.).

Paris CAA International Field Office, Room 321, Embassy Building "F", c/o United States Embassy, 1 Rue de Pressbourg, Paris, France.

Rio de Janeiro CAA International Field Office, Avenue Presidente Roosevelte, 194/400, c/o United States Embassy, Rio de Janeiro, Brazil.

Tokyo CAA International Field Office, Room 102, Empire House, A Avenue near X Avenue, Tokyo, Japan (A. P. O. 500, c/o Postmaster, San Francisco, Calif.).

This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-8771; Filed, Aug. 8, 1952; 8:45 a. m.]

National Production Authority

WEINSTEIN LADDER CO.

SUSPENSION ORDER

A hearing having been held in the above entitled matter on the 9th day of July 1952 before James M. Fawcett, Esq., a Hearing Commissioner of the National Production Authority, on a Statement of Charges made by the General Counsel, National Production Authority, in accordance with the National Production Authority General Administrative Order 16-06 (16 F. R. 8628), dated July 21, 1951, and Implementation 1 to National Production Authority General Administrative Order 16-06 (16 F. R. 8799), dated August 30, 1951, and Delegation of Authority under NPA-GAO 16-06 (17 F. R. 2098); and

The respondents, Weinstein Ladder Company, a corporation, Sam Weinstein and David Weinstein, as officers of said Weinstein Ladder Company, and individually, having been duly apprised of the specific violations charged and the administrative action which may be taken, and having been fully informed of the rules and procedures which govern these proceedings; and

The National Production Authority being represented by William E. Kennedy and Jonathan Rintels, and the respondents being represented by Harry D. Gross, Esq. of Newark, N. J.; and

The respondents having filed an answer herein admitting the allegations set forth in the Statement of Charges dated May 17, 1952, but denying any intentional violations of the acts so alleged, and the Hearing Commissioner having considered testimony in mitigation of the offenses charged and having heard and considered the argument of counsel, it is hereby determined:

Findings of fact. 1. During the calendar month of February 1951, Weinstein Ladder Company used in the manufacture of ladders 7,588 pounds of aluminum in excess of the amount permitted to said respondents during said period.

2. During the calendar quarter commencing April 1, 1951, Weinstein Ladder Company used in the manufacture of ladders 4,071 pounds of aluminum in excess of the amount permitted to said respondent during said period.

3. During the calendar quarter commencing October 1, 1951, Weinstein Ladder Company obtained and used in the manufacture of ladders 25,481 pounds of aluminum in excess of that provided for in the authorized production schedules of respondent for said period.

4. During the calendar quarter commencing July 1, 1951, Weinstein Ladder Company, having been granted an allotment of 39,000 pounds of aluminum,

used in manufacture only 20,926 pounds during said period, leaving an unused balance of 18,072 pounds, and such excess allotments were not returned as required.

5. During the calendar quarter commencing January 1, 1952, Weinstein Ladder Company, having been granted an allotment of 36,000 pounds of aluminum, used in manufacture only 5,045 pounds during said period, leaving an unused balance of 30,955 pounds, and such excess allotments were not returned as required.

6. During the calendar quarter commencing October 1, 1951, Weinstein Ladder Company placed authorized controlled material orders in excess of the allotment received by it for said period by placing orders for 46,481 pounds of aluminum when entitled to order only 21,000 pounds, thereby ordering 25,481 pounds in excess of the related allotment received by said respondent.

7. During the calendar quarters commencing July 1, 1951, October 1, 1951, and January 1, 1952, Weinstein Ladder Company failed to maintain accurate records of allotments received and procurement pursuant to allotments as required.

8. Sam Weinstein and David Weinstein, owned, dominated, managed, and controlled Weinstein Ladder Company and directed and supervised the commission of the violations hereinbefore mentioned.

Conclusion. During the period February 1, 1951, to March 31, 1952, the respondents, Weinstein Ladder Company, a corporation, Sam Weinstein and David Weinstein violated the provisions of National Production Authority regulations, orders, and directives as follows:

(a) The unauthorized consumption of 7,538 pounds of aluminum in February 1951 contrary to the provisions of NPA Order M–7, section 5 (b), as amended February 1, 1951 (16 F. R. 1122).

(b) The unauthorized consumption of 4,071 pounds of aluminum during the calendar quarter commencing April 1, 1951, contrary to the provisions of NPA Order M–7, section 5 (a), as amended April 6, 1951 (16 F. R. 3118).

(c) The unauthorized consumption of 25,481 pounds of aluminum in excess of that provided for in the related authorized production schedule contrary to the provisions of CMP Regulation No. 1, section 17 (b), issued May 3, 1951 (16 F. R. 4127), as amended November 23, 1951 (16 F. R. 11869).

(d) The failure to return excess allotments for 18,072 pounds of aluminum during the calendar quarter commencing July 1, 1951, and the failure to return excess allotments for 30,955 pounds of aluminum during the calendar quarter commencing January 1, 1952, contrary to the provisions of CMP Regulation No. 1, section 18 (b), dated May 3, 1951 (16 F. R. 4127).

(e) The unauthorized placing of orders with suppliers for 25,481 pounds of aluminum more than respondents were entitled to order during the calendar quarter commencing October 1, 1951, contrary to the provisions of CMP Regulation No. 1, section 19 (f), dated May 3, 1951 (16 F. R. 4127), and amended November 23, 1951 (16 F. R. 11869).

(f) The failure to maintain accurate records of allotments received and procurement pursuant thereto during the period July 1, 1951, to March 31, 1952, contrary to the provisions of CMP Regulation No. 1, section 23 (a), dated May 3, 1951 (16 F. R. 4127), as amended November 23, 1951 (16 F. R. 11869).

Accordingly, it is ordered: That all priority assistance be withdrawn and withheld from Weinstein Ladder Company, a corporation, and Sam Weinstein and David Weinstein as officers and individually, their successors and assigns, and that all allocations and allotments of controlled materials be withdrawn and withheld from said aforementioned respondents, their successors and assigns, for a period of 6 months from date hereof.

Issued this 26th day of July 1952.

NATIONAL PRODUCTION AUTHORITY,
By JAMES M. FAWCETT,
Hearing Commissioner.

[F. R. Doc. 52–8877; Filed, Aug. 7, 1952; 2:19 p. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2539]

NORTHWEST AIRLINES, INC.; TRANS-PACIFIC OPERATIONS

NOTICE OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Northwest Airlines, Inc. in its trans-Pacific operations.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on September 11, 1952 at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 6, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52–8791; Filed, Aug. 8, 1952; 8:49 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of the Administrator

[Determination 78, Amdt. 1]

BRIDGEPORT, CONNECTICUT, CRITICAL DEFENSE HOUSING AREA

APPROVAL OF EXTENT OF RELAXATION OF CREDIT CONTROLS

In view of the joint certification by the Secretary of Defense and the Acting Director of Defense Mobilization, dated August 1, 1952 (17 F. R. 7131), that the Bridgeport, Connecticut, area is a critical defense housing area as defined by section 204 (1) of the Housing and Rent Act of 1947, as amended, section 2 of Economic Stabilization Agency Determination No. 78 (17 F. R. 1374) is hereby amended to apply to the area described as:

Bridgeport, Connecticut (this area consists of the Towns of Bridgeport, Easton, Fairfield, Monroe, Shelton, Stratford and Trumbull in Fairfield County; and the Town of Milford in New Haven County, all in Connecticut).

ROGER L. PUTNAM,
Administrator.

AUGUST 7, 1952.

[F. R. Doc. 52–8898; Filed, Aug. 8, 1952; 9:44 a. m.]

Office of Price Stabilization

[Region I, Redelegation of Authority No. 28, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CEILING PRICES PURSUANT TO SECTIONS 36 AND 53 OF CPR 117, REVISION 1, AND TO PRESCRIBE UNIFORM MAXIMUM CASE AND CONTAINER CHARGES PURSUANT TO SECTION 71 OF CPR 117, REVISION 1

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 52, Revision 1 (17 F. R. 5618) this revision of Redelegation of Authority No. 28 (17 F. R. 1639) is hereby issued.

1. *Authority to act under sections 36 and 53 of CPR 117.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization in Region I to act, by order, on all applications under the provisions of sections 36 and 53 of Ceiling Price Regulation 117, Revision 1.

2. *Authority to act under section 71 of CPR 117.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization in Region I to issue orders, pursuant to section 71 of Ceiling Price Regulation 117, Revision 1, establishing uniform maximum case and container charges for any seller or group of sellers located in their respective jurisdictions.

This revised redelegation of authority shall take effect as of July 7, 1952.

JOSEPH M. MCDONOUGH,
Regional Director, Region I.

AUGUST 6, 1952.

[F. R. Doc. 52–8829; Filed, Aug. 6, 1952; 4:50 p. m.]

[Region I, Redelegation of Authority No. 29, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 10 (e) AND 16 (c) CPR 98, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of

Price Stabilization, No. I, and pursuant to Delegation of Authority No. 53, Amendment 1 (17 F. R. 5971), this amendment to Redelegation of Authority No. 29 (17 F. R. 1956) is hereby issued.

Redelegation of Authority No. 29 is amended by redesignating the present paragraph 2 as paragraph 4 and adding new paragraphs 2 and 3 to read as follows:

2. *Authority under section 10 (e) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stablization in Region I to accept application for the establishment of ceiling markups made in accordance with the provisions of section 10 (e) of Ceiling Price Regulation 98, as amended, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling markups, and to modify or revoke ceiling markups established under that section.

3. *Authority under section 16 (c) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization in Region I to accept applications for the establishment of ceiling warehouse prices made in accordance with the provisions of section 16 (c) (2) of Ceiling Price Regulation 98, as amended, to request further information in connection with such application, to approve or disapprove such ceiling prices and to revoke ceiling prices established under section 16 (c).

This amendment shall take effect as of July 8, 1952.

JOSEPH M. MCDONOUGH,
Regional Director, Region I.

AUGUST 6, 1952.

[F. R. Doc. 52-8828; Filed, Aug. 6, 1952; 4:50 p. m.]

[Region I, Redelegation of Authority No. 33, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 32, Revision 1 (17 F. R. 5917) this revision of Redelegation of Authority No. 33 (17 F. R. 2462) is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization in Region I to take appropriate action under sections 12, 43, 44, 45, 46, 47, 49 and 60 of Ceiling Price Regulation 74.

This revised redelegation of authority shall take effect as of July 8, 1952.

JOSEPH M. MCDONOUGH,
Regional Director, Region I.

AUGUST 6, 1952.

[F. R. Doc. 52-8827; Filed, Aug. 6, 1952; 4:50 p. m.]

[Region I, Redelegation of Authority No. 43]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SUPPLEMENTARY REGULATION 6 TO CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 69 (17 F. R. 5679) this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization in Region I to act under Supplementary Regulation 6 to Ceiling Price Regulation 7.

This redelegation of authority shall take effect as of July 7, 1952.

JOSEPH M. MCDONOUGH,
Regional Director, Region I.

AUGUST 6, 1952.

[F. R. Doc. 52-8824; Filed, Aug. 6, 1952; 4:49 p. m.]

[Region I, Redelegation of Authority No. 44]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6, 7, AND 8 OF CPR 23

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 63, Revision 1 (17 F. R. 5739), this redelegation of authority is hereby issued.

Authority to act under sections 6, 7, and 8 of CPR 23. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stablization in Region I to take appropriate action under sections 6, 7, and 8 of CPR 23. All actions taken by field offices under sections 6, 7, and 8 of CPR 23, previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of July 8, 1952.

JOSEPH M. MCDONOUGH,
Regional Director, Region I.

AUGUST 6, 1952.

[F. R. Doc. 52-8825; Filed, Aug. 6, 1952; 4:49 p. m.]

[Region I, Redelegation of Authority No. 45]

DIRECTORS OF DISTRICT OFFICES, REGION I, BOSTON, MASS.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 26, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, and pursuant to Delegation of Authority No. 70 (17 F. R. 5917), this redelegation of authority is hereby issued.

Authority to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, revised. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization in Region I, to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, Revised. All actions in respect to the foregoing sections of CPR 26, Revised, taken by field offices previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of July 8, 1952.

JOSEPH M. MCDONOUGH,
Regional Director, Region I.

AUGUST 6, 1952.

[F. R. Doc. 52-8826; Filed, Aug. 6, 1952; 4:49 p. m.]

[Region III, Redelegation of Authority No. 20, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION III, PHILADELPHIA, PA.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. III, at Philadelphia, Pennsylvania, pursuant to Delegation of Authority No. 32, Revision 1 (17 F. R. 5917), this Revision 1 to Redelegation of Authority No. 20 is hereby issued.

Redelegation of Authority No. 20 is revised to read as follows:

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region III to take appropriate action under sections 12, 43, 44, 45, 46, 47, 49, and 60 of Ceiling Price Regulation No. 74.

This redelegation of authority shall take effect as of July 11, 1952.

JOSEPH J. MCBRYAN,
Director of Regional Office No. III.

AUGUST 6, 1952.

[F. R. Doc. 52-8840; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region III, Redelegation of Authority No. 38]

DIRECTORS OF DISTRICT OFFICES, REGION III, PHILADELPHIA, PA.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 26, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. III, at Philadelphia, Pennsylvania, pursuant to Delegation of Authority No. 70 (17 F. R. 5917), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region III to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, revised. All actions in respect to the foregoing sections of CPR 26, revised, taken by field offices previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of July 11, 1952.

JOSEPH J. MCBRYAN,
Director of Regional Office No. III.

AUGUST 6, 1952.

[F. R. Doc. 52-8841; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region III, Redelegation of Authority No. 39]

DIRECTORS OF DISTRICT OFFICES, REGION III, PHILADELPHIA, PA.

REDELEGATION OF AUTHORITY TO ACT UNDER SUPPLEMENTARY REGULATION 6 TO CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. III, at Philadelphia, Pennsylvania, pursuant to Delegation of Authority No. 69 (17 F. R. 5679), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region III to act under Supplementary Regulation 6 to Ceiling Price Regulation 7.

This redelegation of authority shall take effect as of July 11, 1952.

JOSEPH J. MCBRYAN,
Director of Regional Office No. III.

AUGUST 6, 1952.

[F. R. Doc. 52-8842; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region XII, Redelegation of Authority No. 50]

DIRECTORS OF THE DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 26, REVISED

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 70 (17 F. R. 5917), this redelegation of authority is hereby issued.

1. *Authority to act under sections 5 (c) (3), 7, 21 (c) and 22 of CFR 26, revised.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Fresno, Sacramento, San Francisco, Los Angeles, and San Diego, California; Phoenix, Arizona; and Reno, Nevada, to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, Revised. All actions in respect to the foregoing sections of CPR 26, Revised, taken by field offices previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of July 15, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No. XII.

AUGUST 6, 1952.

[F. R. Doc. 52-8843; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region VI, Redelegation of Authority 2, Revision 1, Amdt. 1, Corr.]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 39a AND 39C OF CPR 7

Due to a clerical error, the second paragraph of Redelegation of Authority 2, Revision 1, Amendment 1 (17 F. R. 5702) refers to "Redelegation of Authority 5, Revision 1." This should read instead "Redelegation of Authority 2, Revision 1." Accordingly, the second paragraph of Redelegation of Authority 2, Revision 1, Amendment 1, is corrected to read as follows:

Paragraph 1 of Redelegation of Authority 2, Revision 1, is amended to read as follows:

SYDNEY A. HESSE,
Regional Director, Region VI.

AUGUST 6, 1952.

[F. R. Doc. 52-8835; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region VI, Redelegation of Authority No. 10, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 32, Revision 1 (17 F. R. 5917), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio, to take appropriate action under sections 12, 43, 44, 45, 46, 47, 49, and 60 of Ceiling Price Regulation 74.

This redelegation of authority shall take effect as of July 15, 1952.

SYDNEY A. HESSE,
Regional Director, Region VI.

AUGUST 6, 1952.

[F. R. Doc. 52-8837; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region VI, Redelegation of Authority 24, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

DELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CEILING PRICES PURSUANT TO SECTIONS 36 AND 53 OF CPR 117, REVISION 1, AND TO PRESCRIBE UNIFORM MAXIMUM CASE AND CONTAINER CHARGES PURSUANT TO SECTION 71 OF CPR 117, REVISION 1

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 52 Revision 1 (17 F. R. 5618), this Revision 1 to Redelegation of Authority No. 24 (17 F. R. 1432) is hereby issued.

1. *Authority to act under sections 36 and 53 of CPR 117.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky and Toledo, Ohio to act, by order, on all applications under the provisions of sections 36 and 53 of Ceiling Price Regulation 117, Revision 1.

2. *Authority to act under section 71 of CPR 117.* Authority is hereby redelegated to the Directors of the District Offices mentioned above to issue orders, pursuant to section 71 of Ceiling Price Regulation 117, Revision 1, establishing uniform maximum case and container charges for any seller or group of sellers located in their respective jurisdictions.

This redelegation of authority shall take effect as of July 7th, 1952.

SYDNEY A. HESSE,
Regional Director, Region VI.

AUGUST 6, 1952.

[F. R. Doc. 52-8836; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region VI, Redelegation of Authority No. 25, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 10 (e) AND 16 (c) CPR 98, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 53, Amendment 1 (17 F. R. 5971), this Amendment 1 to Redelegation of Authority 25 (17 F. R. 1831) is hereby issued.

Redelegation of Authority 25 is amended by redesignating the present paragraph 2 as paragraph 4 and adding new paragraphs 2 and 3 to read as follows:

2. *Authority under section 10 (e) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky and Toledo, Ohio, to accept application for the establishment of ceiling markups made in accordance with the provisions of section 10 (e) of Ceiling Price Regulation 98, as amended, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling markups, and to modify or revoke ceiling markups established under that section.

3. *Authority under section 16 (c) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the District Offices mentioned above to accept applications for the establishment of ceiling warehouse prices made in accordance with the provisions of section 16 (c) (2) of Ceiling Price Regulation 98, as amended, to request further information in connection with such application, to approve or disapprove such ceiling prices and to revoke ceiling prices established under section 16 (c).

This amendment shall be effective as of July 15th, 1952.

SYDNEY A. HESSE
Regional Director, Region VI.

AUGUST 6, 1952.

[F. R. Doc. 52-8839; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region VI, Redelegation of Authority No. 33, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6, 7, AND 8 OF CPR 23

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 63, Revision 1 (17 F. R. 5739), this Revision 1 to Redelegation of Authority 33 (17 F. R. 4660) is hereby issued.

Redelegation of Authority No. 33 is revised to read as follows:

1. *Authority to act under sections 6, 7, and 8 of CPR 23.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio, to take appropriate action under sections 6, 7, and 8 of CPR 23. All actions taken by the said field offices under sections 6, 7, and 8 of CPR 23, previous to this authority, are hereby confirmed and validated.

The redelegation of authority shall take effect as of July 15, 1952.

SYDNEY A. HESSE,
Regional Director, Region VI.

AUGUST 6, 1952.

[F. R. Doc. 52-8838; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region VI, Redelegation of Authority 37]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

DELEGATION OF AUTHORITY TO ACT UNDER SUPPLEMENTARY REGULATION 6 TO CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 69 (17 F. R. 5679), this Redelegation of Authority No. 37 is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky and Toledo, Ohio, to act under Supplementary Regulation 6 to Ceiling Price Regulation 7.

This redelegation of authority shall take effect as of July 7th, 1952.

SYDNEY A. HESSE,
Regional Director, Region VI.

AUGUST 6, 1952.

[F. R. Doc. 52-8833; Filed, Aug. 6, 1952; 4:51 p. m.]

[Region VI, Redelegation of Authority No. 38]

DIRECTORS OF DISTRICT OFFICES, REGION VI, CLEVELAND, OHIO

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 26, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to Delegation of Authority No. 70 (17 F. R. 5917), this redelegation of authority is hereby issued.

1. *Authority to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, revised.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Cincinnati, Ohio; Cleveland, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky and Toledo, Ohio, to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, revised. All actions in respect to the foregoing sections of CPR 26, revised, taken by the said field offices previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of July 15, 1952.

SYDNEY A. HESSE,
Regional Director, Region VI.

AUGUST 6, 1952.

[F. R. Doc. 52-8834; Filed, Aug. 6, 1952; 4:51 p. m.]

[Region VII, Redelegation of Authority No. 24, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION VII, CHICAGO, ILL.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 10 (e) AND 16 (c) CPR 98, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VII, pursuant to Delegation of Authority No. 53, Amendment 1 (17 F. R. 5971), this Amendment 1 to Redelegation of Authority No. 24 (17 F. R. 1701) is hereby issued.

Redelegation of Authority 24 is amended by redesignating the present paragraph 2 as paragraph 4 and adding new paragraphs 2 and 3 to read as follows:

2. *Authority under section 10 (e) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Chicago, Peoria and Springfield, Illinois, Green Bay and Milwaukee, Wisconsin, and Indianapolis, Indiana, to accept application for the establishment of ceiling markups made in accordance with the provisions of section 10 (e) of Ceiling Price Regulation 98, as amended, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling markups, and to modify or revoke ceiling markups established under that section.

3. *Authority under section 16 (c) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Chicago, Peoria and Springfield, Illinois, Green Bay and Milwaukee, Wisconsin, and Indianapolis, Indiana, to accept applications for the establishment of ceiling warehouse prices made in accordance with the provisions of section 16 (c) (2) of Ceiling Price Regulation 98, as amended, to request further information in connection with such application, to approve or disapprove such ceiling prices and to revoke ceiling prices established under section 16 (c).

This Amendment 1 to Redelegation of Authority No. 24 shall take effect on August 6, 1952.

HYMAN RASKIN,
Director of Regional Office No. VII.

AUGUST 6, 1952.

[F. R. Doc. 52-8831; Filed, Aug. 6, 1952; 4:51 p. m.]

[Region VII, Redelegation of Authority No. 29, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VII, CHICAGO, ILL.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VII, pursuant to Delegation of Authority No. 32, Revision 1 (17 F. R. 5917), this Redelegation of Authority No. 29, Revision 1, is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Chicago, Peoria and Springfield, Illinois, Green Bay and Milwaukee, Wisconsin, and Indianapolis, Indiana, to take appropriate action under sections 12, 43, 44, 45, 46, 47, 49, and 60 of Ceiling Price Regulation 74.

This redelegation of authority shall take effect on August 6, 1952.

HYMAN RASKIN,
Director of Regional Office No. VII.

AUGUST 6, 1952.

[F. R. Doc. 52-8832; Filed, Aug. 6, 1952; 4:51 p. m.]

[Region VII, Redelegation of Authority No. 38]

DIRECTORS OF DISTRICT OFFICES, REGION VII, CHICAGO, ILL.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 26, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VII, pursuant to Delegation of Authority No. 70 (17 F. R. 5917), this redelegation of authority is hereby issued.

1. *Authority to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, Revised.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Chicago, Peoria and Springfield, Illinois, Green Bay and Milwaukee, Wisconsin, and Indianapolis, Indiana, to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, Revised. All actions in respect to the foregoing sections of CPR 26, Revised, taken by field offices previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect on August 6, 1952.

HYMAN RASKIN,
Director of Regional Office No. VII.

AUGUST 6, 1952.

[F. R. Doc. 52-8830; Filed, Aug. 6, 1952; 4:50 p. m.]

[Region VIII, Redelegation of Authority No. 12, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VIII, MINNEAPOLIS, MINN.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 32, Revision 1, dated June 27, 1952 (17 F. R. 5917), this revised redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII, to take appropriate action under sections 12, 43, 44, 45, 46, 47, 49, and 60 of Ceiling Price Regulation 74.

This revised redelegation of authority shall take effect as of July 8, 1952.

JOSEPH ROBBIE, Jr.
Regional Counsel, Region VIII.

AUGUST 6, 1952.

[F. R. Doc. 52-8823; Filed, Aug. 6, 1952; 4:49 p. m.]

[Region X, Redelegation of Authority No. 13, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, Dallas, Texas, pursuant to Delegation of Authority No. 32, Revision 1 (17 F. R. 5917), this Revision 1 to Region X Redelegation of Authority No. 13 is hereby issued.

Region X Redelegation of Authority No. 13 is revised to read as follows:

1. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to take appropriate action under Sections 12, 43, 44, 45, 46, 47, 49 and 60 of Ceiling Price Regulation 74.

This redelegation of authority shall take effect as of July 14, 1952.

ALFRED L. SEELYE,
Director of Regional Office No. X.

AUGUST 6, 1952.

[F. R. Doc. 52-8820; Filed, Aug. 6, 1952; 4:48 p. m.]

[Region X, Redelegation of Authority No. 25, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 10 (e) AND 16 (c) CPR 98, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 53, Amendment 1 (17 F. R. 5971), this Amendment 1 to Redelegation of Authority No. 25 is hereby issued.

a. Redelegation of Authority No. 25 is amended by adding the following number and heading to the existing second paragraph:

1. *Authority under section 40 of CPR 98.*

b. Redelegation of Authority No. 25 is further amended by adding new paragraphs 2 and 3 to read as follows:

2. *Authority under section 10 (e) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to accept application for the establishment of ceiling markups made in accordance with the provisions of section 10 (e) of Ceiling Price Regulation 98, as amended, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling markups, and to modify or revoke ceiling markups established under that section.

3. *Authority under Section 16 (c) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to accept applications for the establishment of ceiling warehouse prices made in accordance with the provisions of section 16 (c) (2) of Ceiling Price Regulation 98, as amended, to request further information in connection with such application, to approve or disapprove such ceiling prices and to revoke ceiling prices established under section 16 (c).

This amendment shall take effect as of July 14, 1952.

ALFRED L. SEELYE,
Director of Regional Office No. X.

AUGUST 6, 1952.

[F. R. Doc. 52-8821; Filed, Aug. 6, 1952; 4:48 p. m.]

[Region X, Redelegation of Authority No. 30, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6, 7, AND 8 OF CPR 23

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, Dallas, Texas, pursuant to Delegation of Authority No. 63, Revision 1 (17 F. R. 5739), this Revision 1 to Region X Redelegation of Authority No. 30 is hereby issued.

Region X Redelegation of Authority No. 30 is revised to read as follows:

1. *Authority to act under sections 6, 7, and 8 of CPR 23.* Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization to take appropriate action under sections 6, 7, and 8 of CPR 23. All actions taken by field offices under sections 6, 7, and 8 of CPR 23, previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of July 14, 1952.

ALFRED L. SEELYE,
Director of Regional Office No. X.

AUGUST 6, 1952.

[F. R. Doc. 52-8822; Filed, Aug. 6, 1952; 4:49 p. m.]

[Region X, Redelegation of Authority No. 38]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO ACT UNDER SUPPLEMENTARY REGULATION 6 TO CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 69 (17 F. R. 5679), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas; Tulsa, Oklahoma; Oklahoma City, Oklahoma; Shreveport, Louisiana; New Orleans, Louisiana; Lubbock, Texas; Fort Worth, Texas; Dallas, Texas; Houston, Texas; and San Antonio, Texas, District Offices of Price Stabilization, to act under Supplementary Regulation 6 to Ceiling Price Regulation 7.

This redelegation of authority shall take effect as of July 18, 1952.

ALFRED L. SEELYE,
Director of Regional Office No. X.

AUGUST 6, 1952.

[F. R. Doc. 52-8846; Filed, Aug. 6, 1952; 4:53 p. m.]

[Region XII, Redelegation of Authority No. 11, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 32, Revision 1 (17 F. R. 5917), Redelegation of Authority No. 11, heretofore issued by me on December 10, 1951 (17 F. R. 172), is amended to read as follows:

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization located at San Francisco, Fresno, Sacramento, Los Angeles, and San Diego, California; Reno, Nevada; and Phoenix, Arizona, to take appropriate action under sections 12, 43, 44, 45, 46, 47, 49, and 60 of Ceiling Price Regulation 74.

This amendment shall take effect as of July 15, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No. XII.

AUGUST 6, 1952.

[F. R. Doc. 52-8844; Filed, Aug. 6, 1952; 4:52 p. m.]

[Region XII, Redelegation of Authority No. 43, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION XII, SAN FRANCISCO, CALIF.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6, 7, AND 8 OF CPR 23

By virtue of the authority vested in the Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority 63, Revision 1 (17 F. R. 5739), Redelegation of Authority No. 43, heretofore issued by me on April 28, 1952 (17 F. R. 4403) is amended to read as follows:

1. *Authority to act under sections 6, 7, and 8 of CPR 23.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization located at San Francisco, Fresno, Sacramento, Los Angeles, and San Diego, California; Reno, Nevada; and Phoenix, Arizona, to take appropriate action under sections 6, 7, and 8 of CPR 23. All actions taken by field offices under sections 6, 7, and 8 of CPR 23, previous to this authority, are hereby confirmed and validated.

This amendment shall take effect as of July 15, 1952.

JOHN H. TOLAN, Jr.,
Director of Regional Office No. XII.

AUGUST 6, 1952.

[F. R. Doc. 52-8845; Filed, Aug. 6, 1952; 4:53 p. m.]

[Region XIII, Redelegation of Authority No. 14, Revision 1]

DIRECTORS OF DISTRICT OFFICES REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 40, 10 (e) AND (c) OF CPR 98, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 53, as amended (17 F. R. 1236, 17 F. R. 5971) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle, and Spokane District Offices of Price Stabilization, respectively, to accept applications for the establishment of ceiling prices or adjustment in extras made in accordance with the provisions of section 40 of Ceiling Price Regulation 98, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling prices or extras, to establish ceiling prices or extras, and to modify or revoke ceiling prices or extras established under section 40 of Ceiling Price Regulation 98.

2. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to accept applications for the establishment of ceiling markups made in accordance with the provisions of section 10 (e) of Ceiling Price Regulation 98, as amended, to request further information in connection with such applications to approve, disapprove or revise proposed ceiling markups and to modify or revoke ceiling markups established under that section.

3. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to accept applications for the establishment of ceiling markup prices made in accordance with the provisions of section 16 (c) (2) of Ceiling Price Regulation 98, as amended, to request further information in connection with such applications, to approve or disapprove such ceiling prices and to revoke ceiling prices established under section 16 (c).

This revised redelegation of authority shall become effective as of July 14, 1952.

JOHN L. SALTER,
Regional Director, Region XIII.

AUGUST 6, 1952.

[F. R. Doc. 52-8815; Filed, Aug. 6, 1952; 4:47 p. m.]

[Region XIII, Redelegation of Authority No. 15, Revision 1]

DIRECTORS OF DISTRICT OFFICES REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 101, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 38, as amended (16 F. R. 12299, 17 F. R. 1784, 17 F. R. 5045), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to act under sections 7, 21 (a), 21 (b), 42 (a), 42 (b), 46 (c), and 49 (a) of Ceiling Price Regulation 101, as amended.

2. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to act under section 12 of Ceiling Price Regulation 101, as amended.

3. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to act under section 4 (d) of Ceiling Price Regulation 101, as amended.

This redelegation of authority shall become effective as of July 17, 1952.

JOHN L. SALTER,
Regional Director, Region XIII.

AUGUST 6, 1952.

[F. R. Doc. 52-8816; Filed, Aug. 6, 1952; 4:47 p. m.]

[Region XIII, Redelegation of Authority No. 18, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER SPECIFIED SECTIONS OF CPR 74

By virtue of the Authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 31 (16 F. R. 11752), and Delegation of Authority No. 32, Revision 1 (17 F. R. 5917), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to modify, revise or request further information concerning applications filed pursuant to section 14 (c) of CPR 74 and to take appropriate action under sections 12, 43, 44, 45, 46, 47, 49, and 60 of Ceiling Price Regulation 74.

This redelegation of authority shall become effective as of July 17, 1952.

JOHN L. SALTER,
Regional Director, Region XIII.

AUGUST 6, 1952.

[F. R. Doc. 52-8817; Filed, Aug. 6, 1952; 4:47 p. m.]

[Region XIII, Redelegation of Authority No. 29]

DIRECTORS OF DISTRICT OFFICES REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 5 AND 6 OF CPR 31

By virtue of the authority vested in me as Director of the Regional Office of

Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 66, Revision 1 (17 F. R. 5437), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to receive and examine reports filed under the provisions of sections 5 and 6 of Ceiling Price Regulation 31; to ascertain whether such reports conform to requirements of Ceiling Price Regulation 31; and to take all steps necessary to assure that such reports are corrected in accordance with the provisions of sections 5 and 6 of Ceiling Price Regulation 31.

This redelegation of authority shall become effective as of July 14, 1952.

JOHN L. SALTER,
Regional Director, Region XIII.

AUGUST 6, 1952.

[F. R. Doc. 52-8818; Filed, Aug. 6, 1952; 4:47 p. m.]

[Region XIII, Redelegation of Authority No. 30]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 24, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 68 (17 F. R. 4961), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization, respectively, to act under sections 15, 21 (a), 21 (b), 42 (a), 42 (b), 46 (c), 49A (b), 49A (c), 49B (a), 49B (b), and 50 (u) of Ceiling Price Regulation 24, as amended.

This redelegation of authority shall become effective as of July 14, 1952.

JOHN L. SALTER,
Regional Director, Region XIII.

AUGUST 6, 1952.

[F. R. Doc. 52-8819; Filed, Aug. 6, 1952; 4:48 p. m.]

[Region II, Redelegation of Authority No. 33, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION II, NEW YORK, N. Y.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. II, pursuant to Delegation of Authority No. 61, Revision 1 (17 F. R. 6424), this Revision 1 to Redelegation of Authority No. 33 is hereby issued.

1. *Authority to act under CPR 134.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at New York City, Buffalo, Rochester, Syracuse and Albany, New York and Newark and Trenton, New Jersey, to act under sections 4a (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

This redelegation of authority shall take effect on August 7, 1952.

JAMES G. LYONS,
Regional Director, Region II.

AUGUST 7, 1952.

[F. R. Doc. 52-8883; Filed, Aug. 7, 1952; 4:34 p. m.]

[Region IV, Redelegation of Authority No. 10, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION IV, RICHMOND, VA.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 32, Revision 1 (17 F. R. 5917), this Revision 1 to Region IV, Redelegation of Authority No. 10 (17 F. R. 1198) is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to take appropriate action under sections 12, 43, 44, 45, 46, 47, 49, and 60 of Ceiling Price Regulation 74.

This Revision 1 to Redelegation of Authority No. 10 shall take effect as of August 1, 1952.

W. F. BAILEY,
Regional Director, Region IV.

AUGUST 7, 1952.

[F. R. Doc. 52-8884; Filed, Aug. 7, 1952; 4:34 p. m.]

[Region IV, Redelegation of Authority No. 25, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION IV, RICHMOND, VA.

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR CEILING PRICES PURSUANT TO SECTIONS 36 AND 53 OF CPR 117, REVISION 1, AND TO PRESCRIBE UNIFORM MAXIMUM CASE AND CONTAINER CHARGES PURSUANT TO SECTION 71 OF CPR 117, REVISION 1

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 52, Revision 1 (17 F. R. 5618), this Revision 1 to Region IV, Redelegation of Authority No. 25 (17 F. R. 1957) is hereby issued.

1. *Authority to act under sections 36 and 53 of CPR 117.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to act, by order, on all applications under the provisions of sections 36 and 53 of Ceiling Price Regulation 117, Revision 1.

2. *Authority to act under section 71 of CPR 117.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to issue orders, pursuant to section 71 of Ceiling Price Regulation 117, Revision 1, establishing uniform maximum case and container charges for any seller or group of sellers located in their respective jurisdictions.

This Revision 1 to Redelegation of Authority No. 25 shall take effect as of August 1, 1952.

W. F. BAILEY,
Regional Director, Region IV.

AUGUST 7, 1952.

[F. R. Doc. 52-8885; Filed, Aug. 7, 1952; 4:35 p. m.]

[Region IV, Redelegation of Authority No. 26, Amdt. 1]

DIRECTORS OF DISTRICT OFFICES, REGION IV, RICHMOND, VA.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 10 (e) AND 16 (c) CPR 98, AS AMENDED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 53, Amendment 1 (17 F. R. 5971), this Amendment 1 to Region IV Redelegation of Authority No. 26 (17 F. R. 1957) is hereby issued.

Region IV Redelegation of Authority 26 is amended by redesignating the present paragraph 2 as paragraph 4 and adding new paragraphs 2 and 3 to read as follows:

2. *Authority under section 10 (e) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to accept application for the establishment of ceiling markups made in accordance with the provisions of section 10 (e) of Ceiling Price Regulation 98, as amended, to request further information in connection with such applications, to approve, disapprove or revise proposed ceiling markups, and to modify or revoke ceiling markups established under that section.

3. *Authority under section 16 (c) of CPR 98, as amended.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to accept applications for the establishment of ceiling warehouse prices made in accordance with the provisions of section 16 (c) (2) of Ceiling Price Regulation 98, as amended, to request further information in connection with such application, to approve or disapprove such ceiling prices and to revoke ceiling prices established under section 16 (c).

This Amendment 1 to Redelegation of Authority No. 26 shall take effect as of August 1, 1952.

W. F. BAILEY,
Regional Director, Region IV.

AUGUST 7, 1952.

[F. R. Doc. 52-8886; Filed, Aug. 7, 1952; 4:35 p. m.]

[Region IV, Redelegation of Authority No. 31, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION IV, RICHMOND, VA.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 61, Revision 1 (17 F. R. 6424), this Revision 1 to Region IV Redelegation of Authority No. 31 (17 F. R. 3757) is hereby issued.

1. *Authority to act under CPR 134.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to act under sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

This Revision 1 to Redelegation of Authority No. 31 shall take effect as of August 1, 1952.

W. F. BAILEY,
Regional Director, Region IV.

AUGUST 7, 1952.

[F. R. Doc. 52-8887; Filed, Aug. 7, 1952; 4:35 p. m.]

[Region IV, Redelegation of Authority No. 34, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION IV, RICHMOND, VA.

REDELEGATION OF AUTHORITY TO ACT UNDER SECTIONS 6, 7, AND 8 OF CPR 23

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 63, Revision 1 (17 F. R. 5739), this Revision 1 to Region IV Redelegation of Authority No. 34 (17 F. R. 4960) is hereby issued.

1. *Authority to act under sections 6, 7, and 8 of CPR 23.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to take appropriate action under sections 6, 7, and 8 of CPR 23. All actions taken by District offices under sections 6, 7, and 8 of CPR 23, previous to this authority, are hereby confirmed and validated.

This Revision 1 to Redelegation of Authority No. 34 shall take effect as of August 1, 1952.

W. F. BAILEY,
Regional Director, Region IV.

AUGUST 7, 1952.

[F. R. Doc. 52-8888; Filed, Aug. 7, 1952; 4:35 p. m.]

[Region IV, Redelegation of Authority No. 38]

DIRECTORS OF DISTRICT OFFICES, REGION IV, RICHMOND, VA.

REDELEGATION OF AUTHORITY TO ACT UNDER SUPPLEMENTARY REGULATION 6 TO CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 69 (17 F. R. 5679), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to act under Supplementary Regulation 6 to Ceiling Price Regulation 7.

This redelegation of authority shall take effect as of August 1, 1952.

W. F. BAILEY,
Regional Director, Region IV.

AUGUST 7, 1952.

[F. R. Doc. 52-8889; Filed, Aug. 7, 1952; 4:35 p. m.]

[Region IV, Redelegation of Authority No. 39]

DIRECTORS OF DISTRICT OFFICES, REGION IV, RICHMOND, VA.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 26, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 70 (17 F. R. 5917), this redelegation of authority is hereby issued.

1. *Authority to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, Revised.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, Revised. All actions in respect to the foregoing sections of CPR 26, Revised, taken by District offices previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of August 1, 1952.

W. F. BAILEY,
Regional Director, Region IV.

AUGUST 7, 1952.

[F. R. Doc. 52-8890; Filed, Aug. 7, 1952; 4:35 p. m.]

[Region VII, Redelegation of Authority No. 31, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VII, CHICAGO, ILL.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VII, pursuant to Delegation of Authority No. 61, Revision 1 (17 F. R. 6424), this revised redelegation of authority is hereby issued.

1. *Authority to act under CPR 134.* Authority is hereby redelegated to the Directors of the District Offices of Price Stabilization located at Chicago, Peoria and Springfield, Illinois; Green Bay and Milwaukee, Wisconsin; and Indianapolis, Indiana; to act under sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

This redelegation of authority shall take effect on August 7, 1952.

HYMAN RASKIN,
Director of Regional Office No. VII.

AUGUST 7, 1952.

[F. R. Doc. 52-8891; Filed, Aug. 7, 1952; 4:35 p. m.]

[Region VIII, Redelegation of Authority No. 32, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION VIII, MINNEAPOLIS, MINN.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 61, Revision 1, dated July 14, 1952 (17 F. R. 6424), this revised redelegation of authority is hereby issued.

1. *Authority to act under CPR 134.* Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII, to act under sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

This revised redelegation of authority shall take effect as of July 16, 1952.

JOSEPH ROBBIE, Jr.,
Regional Director, Region VIII.

AUGUST 7, 1952.

[F. R. Doc. 52-8892; Filed, Aug. 7, 1952; 4:35 p. m.]

[Region VIII, Redelegation of Authority No. 39]

DIRECTORS OF DISTRICT OFFICES, REGION VIII, MINNEAPOLIS, MINN.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 26, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 70, dated June 27, 1952 (17 F. R. 5917), this redelegation of authority is hereby issued.

1. *Authority to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, Revised.* Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII, to act under sections 5 (c) (3), 7, 21 (c) and 22 of CPR 26, Revised. All actions in respect to the foregoing sections of CPR 26, Revised, taken by district offices previous to this authority, are hereby confirmed and validated.

This redelegation of authority shall take effect as of July 15, 1952.

JOSEPH ROBBIE, Jr.,
Regional Director, Region VIII.

AUGUST 7, 1952.

[F. R. Doc. 52-8893; Filed, Aug. 7, 1952; 4:36 p. m.]

[Region X, Redelegation of Authority No. 35, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION X, DALLAS, TEX.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, Dallas, Texas, pursuant to Delegation of Authority No. 61, Revision 1 (17 F. R. 6424), this Revision 1 to Region X Redelegation of Authority No. 35 is hereby issued.

Region X Redelegation of Authority No. 35 is revised to read as follows:

1. *Authority to act under CPR 134.* Authority is hereby redelegated to the Directors of the District Offices, Office of Price Stabilization, Region X, to act under sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

This revised redelegation of authority shall take effect as of July 26, 1952.

ALFRED L. SEELYE,
Director of Regional Office No. X.

AUGUST 7, 1952.

[F. R. Doc. 52-8894; Filed, Aug. 7, 1952; 4:36 p. m.]

[Region XI, Redelegation of Authority No. 38, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XI, DENVER, COLO.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region XI, pursuant to Delegation of Authority No. 61, Revision 1 (17 F. R. 6424), this revised redelegation of authority is hereby issued.

1. *Authority to act under CPR 134.* Authority is hereby redelegated to each of the Directors of the District Offices of the Office of Price Stabilization in Region XI to act under sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of CPR 134.

This revised redelegation of authority shall take effect as of July 21, 1952.

DELBERT M. DRAPER,
Regional Director, Region XI.

AUGUST 7, 1952.

[F. R. Doc. 52-8895; Filed, Aug. 7, 1952; 4:36 p. m.]

[Region XIII, Redelegation of Authority No. 23, Revision 1]

DIRECTORS OF DISTRICT OFFICES, REGION XIII, SEATTLE, WASH.

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 134

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XIII, pursuant to Delegation of Authority No. 61, Revision 1 (17 F. R. 6424), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle, and Spokane District Offices of Price Stabilization, respectively, to act, by order, on all applications under the provisions of sections 4 (a) (6), 6 (c), 6 (d), 7, 9 (b) (3), 10, 14 (f), 16 (b), and 21 of Ceiling Price Regulation 134.

This redelegation of authority shall become effective as of July 25, 1952.

HAROLD WALSH,
Regional Director, Region XIII.

AUGUST 7, 1952.

[F. R. Doc. 52-8896; Filed, Aug. 7, 1952; 4:36 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10274]

WESTERN UNION TELEGRAPH CO.

ORDER ASSIGNING HEARING

In the matter of The Western Union Telegraph Company, new and increased charges for tickers furnished in connection with leased facilities; Docket No. 10274.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of July 1952;

The Commission, having under consideration new tariff schedules filed on June 5 and 10, 1952, by The Western Union Telegraph Company, to become effective July 6 and July 10, 1952,[1] stating new and increased charges for certain interstate and foreign leased facilities and new regulations affecting such charges, and data submitted in connection therewith; also having under consideration requests filed on July 21, 1952, on behalf of the Chicago Board of Trade and the New York Curb Exchange, asking the Commission to suspend the above proposed new and increased charges and new regulations; and also having under consideration a petition filed on June 24, 1952, on behalf of the New York Stock Exchange, requesting leave to intervene in any proceeding growing out of objections filed to proposed increased rates for 60 or 75 speed receiving-only tickers and for leave to present evidence as to the just and reasonable differential between the rates for 60 or 75 speed tickers and for 100 speed tickers;

It appearing, that said tariff schedules state increased charges for 60 or 75 speed tickers and new charges for 100 speed tickers and circuit facilities furnished in connection with interstate Leased Facilities Service and Leased Facilities Service to Havana, Cuba, and new regulations affecting such charges; and that questions are presented regarding the lawfulness of the above charges and regulations under the Communications Act of 1934, as amended;

It further appearing, that if the above new tariff schedules of The Western Union Telegraph Company applicable to 100 speed service were to be suspended as requested by the Chicago Board of Trade and the New York Curb Exchange, there would be no tariff provisions in effect whereby users could be furnished 100 speed ticker service by Western Union; and that such a situation would be detrimental to the public;

It further appearing, that the Chicago Board of Trade, the New York Curb Exchange, and other users will have adequate opportunity to seek a refund, pursuant to sections 206 through 209 of the Communications Act of 1934, as amended, of any charges which they may pay under the above-mentioned new tariff schedules in excess of the charges found to be just and reasonable by the Commission after the investigation and hearing hereinafter provided for;

It is ordered, That the above requests for suspension of the above-mentioned new tariff schedules of The Western Union Telegraph Company applicable to Leased Facilities Service are denied; and that the matters presented in said requests for suspension and in the said petition for intervention shall be considered in connection with the hearing and investigation hereinafter ordered;

It is further ordered, That, pursuant to sections 201 through 205, inclusive, and section 403 of the Communications Act of 1934, as amended, an investigation is instituted into the lawfulness of the new and increased charges and new regulations contained in said revised tariff schedules;

It is further ordered, That, without in any way limiting the scope of the hearing and investigation herein, it shall include consideration of the following specific matters:

(1) The lawfulness under section 201 (b) of the Communications Act of 1934, as amended, of the charges and regulations provided for in the above-mentioned new tariff schedules;

(2) Whether the aforesaid charges and regulations would result in any unjust or unreasonable discrimination or undue or unreasonable preference, advantage, prejudice, or disadvantage in violation of section 202 (a) of the Communications Act of 1934, as amended;

It is further ordered, That The Western Union Telegraph Company is made party respondent to this proceeding; that a copy hereof be served upon such respondent; upon the Chicago Board of Trade, the New York Curb Exchange and the New York Stock Exchange, each of which is given leave to intervene and participate fully in the proceeding herein; upon the agency of each state which has regulatory jurisdiction with respect to communication rates and services and the National Association of Railroad and Utilities Commissioners;

It is further ordered, That this proceeding is assigned for hearing at 10 a. m. on the 12th day of November 1952, at the offices of the Federal Communications Commission in Washington, D. C. before a Presiding Officer to be designated hereafter who shall certify the record to the Commission for decision

[1] The above effective dates have been postponed to August 1, 1952 by Supplement No. 10 to The Western Union Telegraph Company Tariff F. C. C. No. 219.

without preparing either a Recommended Decision or Initial Decision.

Released: August 1, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-8809; Filed Aug. 8, 1952; 8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1641]

MISSISSIPPI RIVER FUEL CORP.

NOTICE OF OPINION NO. 234 AND ORDER DENYING CERTAIN MOTION, APPLICATIONS, AND REFUND

AUGUST 5, 1952.

Notice is hereby given that on August 4, 1952, the Federal Power Commission issued its opinion and order entered July 29, 1952, denying motion for leave to adduce additional evidence, denying application for rehearing of Commission's order omitting intermediate decision procedure, denying application for increased rates and charges, and ordering refund of increased rates and charges collected under bond in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8777; Filed, Aug. 8, 1952; 8:47 a. m.]

[Docket Nos. G-1971, G-1977]

SOUTHERN NATURAL GAS CO. AND LOPENO GAS CO.

NOTICE OF FINDINGS AND ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 5, 1952.

In the matters of Southern Natural Gas Company, Docket No. G-1971; Lopeno Gas Company, Docket No. G-1977.

Notice is hereby given that on August 4, 1952, the Federal Power Commission issued its orders entered July 31, 1952, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8778; Filed, Aug. 8, 1952; 8:47 a. m.]

[Docket Nos. G-1678, G-1996]

MICHIGAN-WISCONSIN PIPE LINE CO.

ORDER ADVANCING DATE FOR HEARING

JULY 31, 1952.

By order issued July 10, 1952, in the above-entitled dockets, the Commission consolidated the dockets for hearing and fixed September 16, 1952, as the date for resumption of hearings in Docket No. G-1678 and for the beginning of hearings in Docket No. G-1996.

To meet other commitments of the Presiding Examiner, it now appears necessary to advance the date of hearing, as hereinafter ordered.

The Commission orders: The hearing in the above-entitled dockets now set for September 16, 1952, be advanced to September 8, 1952.

Date of issuance: August 5, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8781; Filed, Aug. 8, 1952; 8:48 a. m.]

[Docket No. G-1910]

ALLENTOWN-BETHLEHEM GAS CO. ET AL.

ORDER FIXING DATE OF HEARING

JULY 31, 1952.

In the matters of Allentown-Bethlehem Gas Company, Consumers Gas Company, The Harrisburg Gas Company, Lancaster County Gas Company, The United Gas Improvement Company; Docket No. G-1910.

On March 6, 1952, the Allentown-Bethlehem Gas Company (Allentown-Bethlehem), Consumers Gas Company (Consumers), The Harrisburg Gas Company (Harrisburg), and Lancaster County Gas Company (Lancaster), "Applicants", filed a joint application and amendment thereto on July 11, 1952, pursuant to section 7 (b) of the Natural Gas Act for an order of the Commission authorizing the abandonment of certain facilities and services of the Applicants.

The United Gas Improvement Company (U. G. I.), also a party to the joint application filed on March 6, 1952, and amendment thereto on July 11, 1952, referred to above, seeks a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing it to acquire and operate the facilities and render the services, the abandonment of which is sought by the Applicants.

The facilities, which are the subject matter of the joint application as amended, are fully described therein, and said application is on file with the Commission and open for public inspection.

Applicants have requested that their joint application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held on August 29, 1952, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the application, as amended: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.38 (f)) of the said rules of practice and procedure.

Date of issuance: August 5, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8782; Filed, Aug. 8, 1952; 8:48 a. m.]

[Docket No. G-2001]

PHILADELPHIA ELECTRIC CO.

NOTICE OF APPLICATION

AUGUST 4, 1952.

Take notice that on July 14, 1952, Philadelphia Electric Company (Applicant), a Pennsylvania corporation having its principal place of business in Philadelphia, Pennsylvania, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission pipeline facilities hereinafter described in paragraphs (a), (b), and (c). With respect to the facilities described in paragraphs (b) and (c) below, Applicant requests that such facilities be determined not to be subject to the Commission's jurisdiction.

Applicant seeks authorization to construct and operate the following described facilities:

(a) Approximately 58,200 feet of 8⅝ inch O. D. main in Bucks County, Pennsylvania, extending from a point of proposed connection with the transmission main of Transcontinental Gas Pipe Line Corporation in Lower Makefield Township to a point of connection with the hereinbelow mentioned proposed service supply pipe, in the bed of a public highway abutting land of the hereinafter more fully mentioned United States Steel Corporation in Falls Township.

(b) Approximately 35 feet of 8⅝ inch O. D. service-supply pipe in said Falls Township, extending from its point of connection with the proposed main to a metering and delivering point on land of United States Steel Corporation in said Falls Township.

(c) Regulators, meters and associated equipment on land of United States Steel Corporation at the aforementioned metering and delivering point.

The facilities for which authorization is sought are to be used for the sale and delivery of natural gas on an interruptible basis to United States Steel Corporation at its "Fairless Works" now in the course of construction in Falls Township, Pennsylvania, including possible use by other subsidiaries of the United States Steel Corporation, and including possible uses by associated independently-owned enterprises which provide services and/or which produce primarily for the "Fairless Works," all situated

on the premises of United States Steel Corporation in Falls Township. Applicant estimates that its annual sales will approximate 5,395,400 Mcf of natural gas. Such annual estimate assumes daily delivery to the United States Steel Corporation of a proposed maximum contract quantity of 23,500 Mcf per day during Applicant's off-peak months of May through October and of monthly quantities during the remainder of the year as follows:

January, 85,800 Mcf; February, 55,760 Mcf; March, 54,980 Mcf; April, 624,050 Mcf; November, 248,550 Mcf; and December 2,240 Mcf.

The estimated cost of the proposed facilities is $398,000 which will be financed by Applicant out of its general funds.

Applicant further requests that the Commission proceed in accordance with § 1.32 of the Commission's rules of practice and procedure in processing this application, and that the Commission omit the intermediate decision procedure, and Applicant waives oral hearings and opportunity for filing exceptions to the decision of the Commission.

Applicant further requests temporary authorization for the construction and operation of the facilities herein proposed pending final action on this application.

The application is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 22d day of August 1952.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8774; Filed, Aug. 8, 1952; 8:46 a. m.]

[Docket No. G-2005]

LONE STAR GAS CO.

NOTICE OF APPLICATION

AUGUST 4, 1952.

Take notice that on July 16, 1952, Lone Star Gas Company (Applicant), a Texas corporation having its principal place of business at Dallas, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing it to construct and operate a compressor station and approximately 5.7 miles of 16-inch connecting pipeline, and to store gas in a field reservoir located in Clay County, Texas. Said application was amended on July 25, 1952, so that 12-inch instead of 16-inch connecting pipeline would be constructed, to extend a distance of 5 instead of 5.7 miles.

Applicant proposes to inject an average daily amount of 20,000 Mcf for 200 days per year into the reservoir, the oil and gas leasing rights of which are owned by Applicant's subsidiary, Lone Star Producing Company. In order to store such quantities, Applicant would construct approximately 5 miles of 12-inch pipeline connecting with its Line B and Government 10-inch line at a point in Clay County near Bellevue, Texas, and would construct a compressor station of approximately 2,640 horsepower. Cost of the proposed facilities is estimated at $762,687.

Applicant states that storage of gas in the reservoir will enable it to more efficiently render service to its North Texas market.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., on or before the 22d day of August 1952. The application, as amended, is on file with the Commission and open to public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8775; Filed, Aug. 8, 1952; 8:46 a. m.]

[Docket No. G-2007]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

AUGUST 5, 1952.

Take notice that Cities Service Gas Company (Applicant), a Delaware corporation, with its principal place of business at Oklahoma City, Oklahoma, filed on July 21, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 16 miles to 20 inch and 16 inch natural-gas pipeline from Applicant's Tonganoxie compressor station to Applicant's Hund pipeline junction in Leavenworth County, Kansas.

Applicant proposes to utilize these facilities to enable Applicant to increase its wintertime maximum daily delivery supply, thereby assisting it to meet increased market demands on its system north of the Tonganoxie station.

The estimated cost of the proposed facilities is $544,000 which Applicant proposes to finance through bank loans.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 25th day of August 1952. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8797; Filed, Aug. 8, 1952; 8:51 a. m.]

[Docket No. G-2008]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF APPLICATION

AUGUST 4, 1952.

Take notice that on July 22, 1952, Transcontinental Gas Pipe Line Corporation (Transcontinental), a Delaware corporation having its principal place of business at Houston, Texas, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing it to deliver additional quantities of natural gas to certain of its customers, namely Consolidated Edison Company of New York, Public Service Electric and Gas Company, Long Island Lighting Company, and Philadelphia Electric Company, for a period not to exceed sixty days.

Transcontinental states, in its application, that the deliveries of natural gas for which it seeks authority are made necessary by the following stated circumstances:

(1) On April 28, 1950, the Commission issued an order, accompanying Opinion No. 191, in Docket No. G-1277, authorizing Transcontinental, inter alia, "to transport not more than 60,000 Mcf per day (16.7 psia) of natural gas on an interruptible basis for the account of Sun Oil Company * * * at Marcus Hook, Pennsylvania." (Op. No. 191, mimeo., p. 48.)

(2) That the Sun Oil Company has been refining aviation gasoline at its Marcus Hook refinery; and that a residual of such refining is Bunker C oil, which the Marcus Hook refinery obtains in the amount of 10,000 barrels per day.

(3) That normally, Sun Oil Company sells 5,000 barrels of Bunker C oil per day to steel companies, and 5,000 barrels to other purchasers.

(4) That because of the "present" steel strike, Sun Oil Company's sales of Bunker C oil to steel companies have been "completely eliminated", and that the "available market for the other 5,000 barrels has been glutted."

(5) That Sun Oil Company has "requested Transcontinental to curtail completely its deliveries of natural gas during the period of the present steel strike * * *"

(6) That despite the provision in the order of April 28, 1950, aforementioned, that Transcontinental was to transport natural gas to Sun Oil Company "on an interruptible basis," Transcontinental "has the legal right to 'put' substantial quantities of gas to Sun Oil Company and Sun is obligated to either take the natural gas tendered or pay the transportation charges established in the contract."

(7) That "Transcontinental is, in the public interest, undesirous of compelling acceptance of deliveries of natural gas by Sun even though Transcontinental is in dire need of the revenues involved."

Therefore, Transcontinental proposes to make deliveries, not exceeding the period of sixty days from July 22, 1952, of quantities of natural gas up to an aggregate amount not exceeding 22,500 Mcf per day to the above-named customers.

The application is on file with the Commission, and open for public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or

1.10) on or before the 22d day of August 1952.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8776; Filed, Aug. 8, 1952; 8:46 a. m.]

[Docket Nos. ID-1180, 1181]

OLIVER T. PULSIFER AND ORLANDO B. SWIFT

NOTICE OF ORDERS AUTHORIZING APPLICANTS TO HOLD CERTAIN POSITIONS

AUGUST 5, 1952.

In the matters of Oliver T. Pulsifer, Docket No. ID-1180; Orlando B. Swift, Docket No. ID-1181.

Notice is hereby given that on August 4, 1952, the Federal Power Commission issued its orders entered July 31, 1952, authorizing applicants to hold certain positions pursuant to section 305 (b) of the Federal Power Act in the above-entitled matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8779; Filed, Aug. 8, 1952; 8:47 a. m.]

[Project No. 1413]

CHARLES POND AND POND'S LODGE, INC.

NOTICE OF ORDER APPROVING TRANSFER OF LICENSE (MAJOR)

AUGUST 5, 1952.

Notice is hereby given that on June 6, 1952, the Federal Power Commission issued its order entered June 5, 1952, approving transfer of license (Major) in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-8780; Filed, Aug. 8, 1952; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1422]

STANDARD GAS AND ELECTRIC CO.

ORDER PERMITTING WITHDRAWAL OF APPLICATION-DECLARATION

AUGUST 4, 1952.

Standard Gas and Electric Company ("Standard"), a registered holding company, having filed an application-declaration regarding a proposed sale of all its then holdings of common stock, aggregating 750,000 shares, of its public utility subsidiary Oklahoma Gas and Electric Company ("Oklahoma"); and

The Commission, by order dated January 22, 1947, having granted said application and permitted said declaration to become effective; and

Standard having subsequently sold 250,000 shares of such stock pursuant to this Commission's authorization at File No. 70-1946 and having proposed the distribution of substantially all of its remaining holdings of Oklahoma stock pursuant to a pending plan of liquidation and dissolution at File No. 54-191; and

Standard, by reason of the foregoing, having requested permission to withdraw its application-declaration regarding the sale of 750,000 shares of Oklahoma common stock:

It is ordered, That the application-declaration heretofore filed herein be, and the same hereby is, permitted to be withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-8787; Filed, Aug. 8, 1952 8:49 a. m.]

[File No. 70-2891]

CONSOLIDATED NATURAL GAS CO. ET AL.

SUPPLEMENTAL ORDER GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE WITH RESPECT TO ISSUANCE AND SALE OF PROMISSORY NOTES BY SUBSIDIARIES TO PARENT COMPANY

AUGUST 5, 1952.

In the matter of Consolidated Natural Gas Company, the East Ohio Gas Company, Hope Natural Gas Company, the People Natural Gas Company, New York State Natural Gas Corporation, the River Gas Company, File No. 70-2891.

The Commission by order dated July 11, 1952, having granted and permitted to become effective a joint application-declaration filed pursuant to sections 6 (b), 9 (a), 10, and 12 of the Public Utility Holding Company Act of 1935 ("act") by Consolidated Natural Gas Company ("Consolidated"), a registered holding company, and certain of its subsidiaries with respect to the issue and sale of common stock and promissory notes by such subsidiaries to Consolidated; and said order having reserved jurisdiction, until such time as the record shall be completed, with respect to the issuance and sale of $5,000,000 principal amount of 3¼ percent promissory notes by Hope Natural Gas Company ("Hope") to Consolidated, and the issuance and sale of $100,000, principal amount of 3¼ percent promissory notes by The River Gas Company ("River") to Consolidated; and

The record now having been completed with respect to the proposed issuance and sale of notes by Hope and River; and

The Public Servie Commission of West Virginia by order dated July 18, 1952, having approved the proposed issuance and sale of notes by Hope, and the Public Utilities Commission of Ohio by order dated July 17, 1952, having approved the proposed issuance and sale of notes by River; and

Due notice having been given of the filing of the application-declaration and a hearing not having been requested of or ordered by the Commission, and the Commission finding that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration as further amended be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that jurisdiction heretofore reserved over the issuance and sale of $5,000,000 principal amount of notes by Hope to Consolidated, and the issuance and sale of $100,000 principal amount of notes by River to Consolidated be, and hereby is, released, and that the said application-declaration, as further amended, with respect to such issuance and sale of notes by Hope and River to Consolidated be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-8788; Filed, Aug. 8, 1952; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27279]

CLASS RATES IN SOUTHWESTERN AND WESTERN TRUNK-LINE TERRITORIES

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers respondents in Class Rate Investigation, 1939, 281 I. C. C. 213.

Commodities involved: Various commodities, carloads and less-than-carloads, subject to class rates governed by the uniform freight classification.

Territory: Within western trunk-line territory, including Illinois territory, also between points in those territories and southwestern territory.

Grounds for relief: To maintain grouping and to maintain higher rates from and to intermediate points subject to ratings in exceptions to the classification.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request

filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-8798; Filed, Aug. 8, 1952; 8:51 a. m.]

[4th Sec. Application 27280]

LIQUID CAUSTIC SODA FROM MCINTOSH, ALA., TO BASTROP AND SPRING HILL, LA.

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3883.

Commodities involved: Liquid caustic soda, in tank-car loads.

From: McIntosh, Ala.

To: Bastrop and Spring Hill, La.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3883, Supp. 73.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-8799; Filed, Aug 8, 1952; 8:51 a. m.]

[4th Sec. Application 27281]

MAGAZINES AND PERIODICALS FROM LOUISVILLE, KY., TO CHARLOTTE, N. C.

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1062.

Commodities involved: Magazines and periodicals, also parts or sections, carloads.

From: Louisville, Ky.

To: Charlotte, N. C.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1062, Supp. 56.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-8800; Filed, Aug. 8, 1952; 8:51 a. m.]

[4th Section Application 27282]

SULPHURIC ACID FROM MOBILE, ALA., TO SADDLE CREEK, FLA.

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Alabama Great Southern Railroad Company and other carriers.

Commodities involved: Sulphuric acid, in tank-car loads.

From: Mobile, Ala.

To: Saddle Creek, Fla.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1200, Supp. 54.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-8801; Filed, Aug. 8, 1952; 8:51 a. m.]

[4th Sec. Application 27283]

CRUSHED OR BROKEN STONE FROM GRANITE HILL, GA., TO SAVANNAH, GA.

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and other carriers.

Commodities involved: Stone, limestone, granite, or marble, broken or crushed, carloads.

From: Granite Hill, Ga.

To: Savannah, Ga.

Grounds for relief: Circuitous routes and to meet intrastate rates.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 998, Supp. 205.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-8802; Filed, Aug. 8, 1952; 8:52 a. m.]

[4th Sec. Application 27284]

CRYOLITE FROM NATRONA, PA., TO NEW ORLEANS AND CHALMETTE, LA.

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to Agent C. W. Boin's tariff I. C. C. No. A–911, pursuant to fourth-section order No. 16101.

Commodities involved: Cryolite, carloads.

From: Natrona, Pa.

To: New Orleans and Chalmette, La.

Grounds for relief: Circuitous routes and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–8803; Filed, Aug. 8, 1952; 8:52 a. m.]

[4th Sec. Application 27285]

CRUDE PETROLEUM OIL FROM WATFORD CITY, N. DAK., TO CHICAGO AND MANHATTAN, ILL.

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Great Northern Railway Company for itself and on behalf of carriers parties to its tariff I. C. C. No. A–8051.

Commodities involved: Crude petroleum oil in its natural state or crude petroleum oil which has been subject to natural weathering, etc., in tank-car loads.

From: Watford City, N. Dak.

To: Chicago, Ill., and points taking same rates, also Manhattan, Ill.

Grounds for relief: Competition with motor-rail carriers and market competition.

Schedules filed containing proposed rates: GN Ry. tariff I. C. C. No. A–8051, Supp. 202.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–8804; Filed, Aug. 8, 1952; 8:52 a. m.]

[4th Sec. Application 27286]

CRUDE COAL TAR FROM ASHLAND, KY., AND IRONTON, OHIO, TO BIRMINGHAM AND ALABAMA CITY, ALA.

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4510.

Commodities involved: Tar, coal, crude, in tank-car loads.

From: Ashland, Ky., and Ironton, Ohio.

To: Birmingham, Ala., and points grouped therewith, and Alabama City, Ala.

Grounds for relief: Rail competition, circuity, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. C. Schuldt, Agent, I. C. C. No. 4510, Supp. 3.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–8805; Filed, Aug. 8, 1952; 8:52 a. m.]

[4th Sec. Application 27287]

MALT LIQUORS FROM PEORIA, ILL., TO TEXAS

APPLICATION FOR RELIEF

AUGUST 6, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3912.

Commodities involved: Malt liquors: Ale, beer, beer tonic, porter, and stout, and cereal beverages, carloads.

From: Peoria, Ill.

To: Points in Texas.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3912, Supp. 130.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–8806; Filed, Aug. 8, 1952; 8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

MAURICE LOUIS BESSONNEAU

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Maurice Louis Bessonneau, Puteaux (Seine), France; Claim No. 41386; property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent Nos. 2,157,783 and 2,185,581.

Executed at Washington, D. C., on August 5, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Acting Director,
Office of Alien Property.

[F. R. Doc. 52-8812; Filed, Aug. 8, 1952; 8:54 a. m.]

FRANCESCO MILIOTO ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Francesco Milioto, Via Riggio, Cattolica, Eraclea-Agrigento, Italy; Claim No. 40115; $431.68 in the Treasury of the United States;

Calogero Milioto, Via Preto, Cattolica, Eraclea-Agrigento, Italy; Claim No. 40116; $431.69 in the Treasury of the United States;

Anna Milioto, Via Marrugello, Cattolica, Eraclea-Agrigento, Italy; Claim No. 40117; $431.69 in the Treasury of the United States;

Rosa Milioto, Via Canale, Gotteghelle, Eraclea-Agrigento, Italy; Claim No. 40118; $431.69 in the Treasury of the United States;

Giuseppina Milioto, Via Aranci No. 145, Cattolica, Eraclea-Agrigento, Italy; Claim No. 40119; $431.69 in the Treasury of the United States.

Executed at Washington, D. C., on August 5, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Acting Director,
Office of Alien Property.

[F. R. Doc. 52-8810; Filed, Aug. 8, 1952; 8:53 a. m.]

MARIA TERESA OLIVERIO FU PASQUALE ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Maria Teresa Oliverio fu Pasquale, Cosenza, Italy; Maria Maritizo, Cosenza, Italy; Rosa Maritizio, Cosenza, Italy; Luigi Maritizio, Cosenza, Italy; Claim No. 40946; the following cash amounts in the Treasury of the United States: $2,671.17 to Maria Teresa Oliverio fu Pasquale; $1,780.77 to Maria Maritizio; $1,780.78 to Rosa Maritizio; $1,780.78 to Luigi Maritizio.

Executed at Washington, D. C., on August 5, 1952.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
Acting Director,
Office of Alien Property.

[F. R. Doc. 52-8811; Filed, Aug. 8, 1952; 8:54 a. m.]